

PLEASE NOTE: Full Resolutions are attached following minutes

**MINUTES
Herkimer County Legislature
Third Quarter – First Day
Wednesday, July 6, 2016
2:00 p.m.**

Public Hearing

The Public Hearing on Introductory Local Law No. 1 for 2016 was called to order at 1:45 p.m. by Frederick Shaw, Chairman of the Committee on Natural Resources. The Clerk read the notice of the meeting. Mr. Shaw then asked if there was anyone wishing to speak on the local law. There were no requests to speak and the hearing was declared closed at 1:47 p.m.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that there has been presented to the County Legislature of the County of Herkimer, State of New York, on the 8th day of June, 2016, Introductory Local Law No. 1 for the year 2016 entitled, “A LOCAL LAW REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, INSTALLATION AND CONNECTION OF BUILDING LATERALS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEMS; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE HERKIMER COUNTY SEWER DISTRICT, COUNTY OF HERKIMER, STATE OF NEW YORK AND AMENDING LOCAL LAW NO. 1 FOR THE YEAR 2007”.

NOTICE IS FURTHER GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the aforesaid proposed Local Law, to be conducted by the Committee on Natural Resources at the Legislative Chambers in the County Office Building, Herkimer, New York, on the 6th day of July, 2016 at 1:45 p.m., at which time all persons interested will be heard.

Dated: June 23, 2016.

The Third Quarterly Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski, Sr. at 2:00 p. m.

Chairman Peplinski called on Richard Louis, Jr., Director of the Herkimer County Veterans’ Service Agency, 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, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Markwardt (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of June 8, 2016. There were none, and the Chairman ordered them approved.

Chairman Peplinski dispensed with the regular session and called upon Legislator Raymond Smith, Tim Seymour, Commissioner of Social Services and members of his staff who participated in the Volunteer Income Tax Assistance Program. Commissioner Seymour gave a brief background on the VITA program. Mr. Smith commended these employees who volunteered their time and effort for this tax preparation assistance service which generated a combined state and federal tax refund of \$1,227,319 for the 2015 tax year, and presented certificates for the following employees: Kristin Baker, Cathy Lowell, Kim Collis, Martha Caliguire, Andrea Mancuso, Debbie Smith, Eva Kirchberg and Chris Marsden.

Chairman Peplinski then called on Dan Sullivan of Keep Mohawk Valley Beautiful and the Greater Mohawk Valley Land Bank to make a presentation. Mr. Sullivan gave an update on the progress of the Six County Greater Mohawk Valley Land Bank. He advised that the next step after the application is the certification. He presented material concerning a draft resolution to designate an official board member and an intergovernmental agreement for the County's consideration. He advised that the grant window closes August 15th. He stated that the Land Bank Board will meet again on July 26th at the MVEDD Office in Mohawk and that the Land Bank will be headquartered in Herkimer County. Mr. Sullivan advised that counties with the shovel ready projects will be considered first and that they want to balance the funding through the six county region. He stated that the goal is to put properties back into proper use and to put them back on the tax rolls, but if a non-profit institution wishes to purchase a building they will be considered, but added that the primary focus will be on residential and downtown mixed use, which is taxable. Mr. Sullivan thanked the Legislature for the opportunity to speak.

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

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. 198A – A communication was received from Senator Seward advising of co-sponsorship of senate bill for mandate relief of indigent defense services. Placed on file.

No. 199 – A communication was received from the Commissioner of Social Services advising of results of 2015 Volunteer Income Tax Assistance Program. Placed on file.

No. 200 – A communication was received from the Business Manager of Central Valley School District expressing appreciation for use of county owned electronic voting machines. Placed on file.

No. 201 – A communication was received from the Commissioners of Elections submitting the 2015 Annual Report of the Board of Elections. Referred to the Committee on Administration/Veterans Affairs.

No. 202 – A communication was received from the Personnel Officer requesting contract with health insurance consultant. Referred to the Committee on Ways and Means.

No. 203 – A communication was received from the Director of the Office for the Aging requesting a memorandum of understanding with Alzheimer's Association for the Caregiver Services Initiative. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 204 – A communication was received from the Budget Officer submitting request for transfers of funds. Referred to the Committee on Ways and Means.

No. 205 – A communication was received from the STOP-DWI Coordinator submitting the 2015 Annual Report of the STOP-DWI Office. Referred to the Committee on Public Safety/Emergency Management.

No. 206 – A communication was received from the Director of Emergency Services requesting approval for receipt of two Homeland Security Grants. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 207 – A communication was received from the Budget Officer requesting budget amendments in connection with receipt of two Homeland Security Grants. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 208 – A communication was received from the Office of the District Attorney advising of award of Crime Victims Services Grant. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 209 – A communication was received from the Budget Officer requesting budget amendment in connection with receipt of Crime Victims Services Grant Award. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 210 – A communication was received from the County Treasurer submitting Revised County Investment Policy for approval. Referred to the Committee on Ways and Means.

No. 211 – A communication was received from Assemblyman Butler acknowledging receipt of county's resolution concerning costs of additional indigent defense costs. Placed on file.

No. 212 – A communication was received from the Commissioner of Social Services concerning changes under Supervision and Treatment Services for Juveniles Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 213 – A communication was received from the County Treasurer submitting the final results from the county land auction. Placed on file.

No. 214 – A communication was received from the Chairman of the Legislature recommending appointment of Vincent J. Bono to the Herkimer County Law Library Board of Trustees. Placed on file.

No. 215 – A communication was received from the HCCC Board of Trustees submitting resolution for land use permit for installation of state wide weather station at College. Referred to the Committee on Education.

No. 216 – A communication was received from the Budget Officer requesting budget amendment in connection with grant funding for respite services under Caregiver Services Initiative. Referred to the Committee on Human Resources and the Committee on Ways and Means.

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

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

For: Ayes (16).

Against: None.

Absent: Markwardt (1).

Consent Agenda:

- | | | |
|-----|---|-------|
| 155 | ADMIN./VET. AFFAIRS: Adopting Annual Report of County Board of Elections | VOICE |
| 156 | PUB. SFTY./EMER. MGMT.: Adopting Annual Report of County STOP-DWI Program | VOICE |
| 157 | WAYS & MEANS: Transferring funds | VOICE |

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Brezinski, seconded by Mr. Shaw, Report and Resolution No. 158 sponsored by the Committee on Natural Resources and the Committee on Ways and Means adopting Introductory Local Law No. 1 for 2016 was handed up. Christopher Bray, Attorney for the Sewer Board advised that this local law makes technical changes as required by the Environmental Protection Agency and makes no significant changes to the County's Sewer Use Law. The resolution was voted on and adopted by roll call vote:

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

Against: None. Absent: Markwardt (1).

On motion of Mr. Ackerman, seconded by Mr. Stephens, Report and Resolution No. 159 sponsored by the Committee on Public Safety and 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 (16). Against: None.

Absent: Markwardt (1).

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 160 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with receipt of Emergency Management Performance Grant Funding was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None.

Absent: Markwardt (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 161 sponsored by the Committee on Public Safety/Emergency Management and the Committee Ways and Means in connection with Crime Victim Services Grant for District Attorney's Office was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None.

Absent: Markwardt (1).

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 162 sponsored by the Committee on Ways and Means concerning Health Insurance Broker Services was handed up; was voted on and adopted by voice vote:

For: Ayes (16). Against: None.

Absent: Markwardt (1).

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 163 sponsored by the Committee on Ways and Means adopting Investment Policy of the County of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None.

Absent: Markwardt (1).

On motion of Mr. Bono, seconded by Mr. Smith, Report and Resolution No. 164 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing Memorandum of Understanding with Alzheimer's Association, Central New York Chapter, to provide respite services under the Caregiver Services Initiative was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Markwardt (1).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 165 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending Plan Application and Contract in connection with funding for Supervision and Treatment Services for Juveniles Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Markwardt (1).

On motion of Mr. Ackerman, seconded by Mr. Stephens, Report and Resolution No. 166 sponsored by the Committee on Education approving Land Use Permit at Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Markwardt (1).

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 167 sponsored by the Committee on Ways and Means approving Standard Workday and Retirement Reporting for Elected and Appointed Officials was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Markwardt (1).

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

At 2:25 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, July 27, 2016 at 7:30 p.m.

Carole L. LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 155

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY BOARD OF ELECTIONS

Sponsored by: Committee on Administration/Veterans' Affairs

Your Committee on Administration/Veterans Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2015, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

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

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 156

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STOP-DWI PROGRAM

Sponsored By: Committee on Public Safety/Emergency Management

Your Committee on Public Safety and Emergency Management, to which was referred the Annual Report of the Herkimer County STOP-DWI Program, 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 STOP-DWI Program for the year 2015 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 157

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred communication from Sheri Ferdula, Budget Officer, dated June 15, 2016, submitting request for transfers of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer 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 sum from and to the following account in the 2016 Budget:

\$10,000	From:	A3140.10000-001, Probation, Salaries
	To:	A1710.44000, Workers Comp., Cont. Services

\$14,500	From:	A1355.10000-001, Real Property, Salaries
	To:	A1710.44000, Workers Comp., Cont. Services

and, be it further,

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

Dated: July 6, 2016.

Note: Full proposed Local Law is a separate document on website



HERKIMER COUNTY LEGISLATURE

No. 158

REPORT AND RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 FOR 2016

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

WHEREAS, your Committees desire to report that on the 6th day of July, 2016, pursuant to Resolution No. 143 for the year 2016, a public hearing was held on the adoption of Introductory Local Law No. 1 for 2016 entitled, "A LOCAL LAW REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, INSTALLATION AND CONNECTION OF BUILDING LATERALS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEMS; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; IN THE HERKIMER COUNTY SEWER DISTRICT, COUNTY OF HERKIMER, STATE OF NEW YORK AND AMENDING LOCAL LAW NO. 1 FOR THE YEAR 2007"; and that there were (no) appearances and (no) objections at the said public hearing; that your Committees advise the adoption and enactment of the said Introductory Local Law and offer the following Resolution:

RESOLVED, that Introductory Local Law No. 1 for 2016 be adopted in form attached hereto.

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 159

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 June 20, 2016, from Robert Vandawalker, Director of Emergency Services, this Legislature is advised of the receipt of an FY 2016 Homeland Security SHSP Grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$67,500.00; and

WHEREAS, said SHSP funding is offered through the U.S. Office of Homeland Security and administered by the New York State Division of Homeland Security and Emergency Services and will be used to enhance the Mobile Data/AVL System at the County Communications Center; and

WHEREAS, by letter dated June 20, 2016, the Budget Officer has advised that it is necessary to amend the 2016 Herkimer County Budget in connection with the receipt of said funding; 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 to receive an FY 2016 Homeland Security SHSP Grant for Herkimer County in the amount of \$67,500.00; and, be it further

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

Revenue:

A3020A.3389G	Em. Mgmt., HSG, State Aid	From: \$-0-
		To: \$67,500.00

Appropriation

A3020A.22000	Em. Mgmt., HSG, Computer Equipment	From: \$-0-
		To: \$67,500.00

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

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 160

REPORT AND RESOLUTION IN CONNECTION WITH RECEIPT OF EMERGENCY MANAGEMENT PERFORMANCE GRANT FUNDING

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

WHEREAS, by letter dated June 20, 2016, from Robert Vandawalker, Director of Emergency Services, this Legislature is advised of the receipt of an FY2016 Emergency Management Performance Grant (EMPG) from the New York State Division of Homeland Security and Emergency Services in the amount of \$29,168.00; and

WHEREAS, said EMPG funding is offered through the U.S. Office of Homeland Security and administered by the New York State Division of Homeland Security and Emergency Services and will be used for a new administrative phone system at the Communications Center; and

WHEREAS, by letter dated June 20, 2016, the Budget Officer has advised that it is necessary to amend the 2016 Herkimer County Budget in connection with the receipt of said funding; 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 to receive an FY2016 Emergency Management Performance Grant for Herkimer County in the amount of \$29,168.00; and, be it further

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

Revenue:

A3020A.3389G	Em. Mgmt., HSG, State Aid	From: \$67,500.00
		To: \$96,668.00

Appropriation

A3020A.23000	Em. Mgmt., HSG, Other Equipment	From: \$-0-
		To: \$29,168.00

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

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 161

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH CRIME VICTIM SERVICES GRANT FOR DISTRICT ATTORNEY'S OFFICE

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

WHEREAS, by Resolution No. 215 adopted August 13, 2014, this Legislature authorized the Chairman of this Legislature to execute and e-sign annual contracts for the Crime Victim Services Grant Program for the period 2014-2017; and

WHEREAS, by letter dated June 17, 2016, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2016 Budget in connection with the receipt of funding for the Crime Victim Services Grant for the District Attorney's Office for the period October 1, 2016 through September 30, 2017 in the total amount of \$52,887.00; now, therefore, be it

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

Revenue:

A1169.3389C, Crime Victims Coordinator	From: \$0
	To: \$52,887

Appropriation:

A1169.10000, Victims Services Coordinator, Salaries	From: \$0
	To: \$33,616
A1169.41000, Victims Services Coordinator, Supplies	From: \$0
	To: \$1,200
A1169.46000, Victims Services Coordinator, Misc. Exp.	From: \$0
	To: \$251
A1169.46100-745, Victims Services Coordinator, Conferences	From: \$0
	To: \$1,000
A1169.46300, Victims Services Coordinator, Postage & Freight	From: \$0
	To: \$1,400
A1169.81000, Victims Services Coordinator, Retirement	From: \$0
	To: \$4,500
A1169.83000, Victims Services Coordinator, Social Security	From: \$0
	To: \$2,165
A1169.83500, Victims Services Coordinator, Medicare	From: \$
	To: \$485
A1169.84000, Victims Services Coordinator, Workers Comp	From: \$0
	To: \$690
A1169.86000, Victims Services Coordinator, Health Insurance	From: \$0
	To: \$7,510
A1169.86500, Victims Services Coordinator, Dental Insurance	From: \$0
	To: \$70.00

and, be it further

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

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 162

REPORT AND RESOLUTION CONCERNING HEALTH INSURANCE BROKER SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 172 of 2010, this Legislature authorized a contract with Gilroy, Kernan & Gilroy Insurance to perform health insurance consultant services in the areas of risk management, ongoing analysis, review, and evaluation of current county health insurance plans, as well as solicitation of proposals and quotes from insurance providers as to renewals of existing insurance for the time period August 1, 2010 through July 31, 2013, which contract was renewed through July 31, 2016 by Resolution No. 150 of 2013; and

WHEREAS, by letter dated June 16, 2016, Steven R. Billings, Personnel Officer, has requested a new contract with Gilroy, Kernan & Gilroy to continue to perform health insurance consultant services for the County of Herkimer for the period from August 1, 2016 through July 31, 2019, at a cost of \$45,000.00 per year; now, therefore, be it

RESOLVED, that a contract be entered into with Gilroy, Kernan & Gilroy Insurance, 210 Clinton Road, P.O. Box 542, New Hartford, NY 13413, to perform health insurance consultant services in the areas of risk management, ongoing analysis, review, and evaluation of current county health insurance plans, as well as solicitation of proposals and quotes from insurance providers as to renewals of existing insurance for the time period August 1, 2016 through July 31, 2019, at a cost of \$45,000.00 per year, 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 contract 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 Gilroy, Kernan & Gilroy Insurance.

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 163

REPORT AND RESOLUTION ADOPTING INVESTMENT POLICY OF THE COUNTY OF HERKIMER

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 177 of 2009 an Investment Policy of the County of Herkimer was adopted, which Policy was amended by Resolution No. 136 of 2011; and

WHEREAS, by letter dated June 8, 2016, Kimberlee Enea, Herkimer County Treasurer, has submitted a revised Herkimer County Investment Policy for adoption as attached hereto; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby adopts the attached revised Investment Policy as the Investment Policy of the County of Herkimer; and, be it further

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

Dated: July 6, 2016.

INVESTMENT POLICY FOR HERKIMER COUNTY

This investment policy applies to all moneys and other financial resources available for investment on its own behalf of any other entity or individual.

OBJECTIVES

- The primary objectives of the County's investment activities are, in priority order,
- to conform with all applicable federal, state, and other legal requirements;
 - to adequately safeguard principal;
 - to provide sufficient liquidity to meet all operating requirements;
 - to obtain a reasonable rate of return

DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the treasurer who shall establish written procedures for the operation of the investment program control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with judgment and care, under circumstances than prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

INTERNAL CONTROLS

It is the policy of the County for all money collected by any officer or employee of the government to transfer those funds to the Treasurer within 30 days of deposit, or within the time period specified in Law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable law and regulations.

DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of moneys shall be listed and in the amounts indicated on the resolution adopted annually for the Depositories of County Funds.

COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Herkimer County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits.

SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County or its Custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the County of Herkimer authorized the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed one year in the following types of investments:

- Special time deposit including certificate of deposit issued by a bank or trust company authorized to do business in the State;
- Certificates of deposit;
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;

All investment obligations shall be payable or redeemable at the option of the County of Herkimer within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Herkimer within one year of the date of purchase.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Herkimer shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the County of Herkimer. Security dealers not affiliated with a bank shall be required to

be classified as reporting dealers affiliated with New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

PURCHASE OF INVESTMENTS

The treasurer or deputy treasurer is authorized to contract for the purchase of investments:

- 1) A minimum of three bids shall be obtained and recorded.
- 2) All investments shall be in the name of the County.
- 3) The Treasurer's Department will maintain an investment log detailing the specific information relative to each investment. The log will contain descriptions, account numbers, fund, amounts transaction dates, interest rates, maturity, interest earned, date of disposition and other related information.
- 4) Investment transaction shall be reported to the Jr. Accountant to be recorded in the accounting system.
- 5) All Certificates of Deposit or other evidence of investment shall be kept in the safe.
- 6) Terms and Conditions
 - Minimum 7 days
 - Maximum 365 days
- 7) All investment documentation shall be retained for audit purpose.
- 8) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the County.
- 9) Funds shall be invested in such a way as to earn the maximum yield possible.

COUNTY CLERK

In addition to the authority to invest herein given to the County Treasurer, the County Clerk, pursuant to Section 11 (5) of the General Municipal Law may invest any money collected on behalf of the state until such time as the money is required to be remitted to the state. The County Clerk shall invest the state money only in those investments by this policy and payable with such time as the proceeds shall be payable in equal shares to the state and to the County, provided, however, that any fees or service charges associated with the investment shall be paid from such interest.

Rev. 06/08/16



HERKIMER COUNTY LEGISLATURE

No. 164

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH ALZHEIMER'S ASSOCIATION, CENTRAL NEW YORK CHAPTER, TO PROVIDE RESPITE SERVICES UNDER THE CAREGIVER SERVICES INITIATIVE

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

WHEREAS, by letter dated June 16, 2016 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a Memorandum of Understanding with the Alzheimer's Association, Central New York Chapter, to provide respite services under the Caregiver Services Initiative of the Office for the Aging; and

WHEREAS, said services will be provided through a five year grant from the New York State Department of Health commencing July 1, 2016, with funding in the amount of \$8,500 for the remainder of 2016 and in the amount of \$14,125 per year for the remaining four years of the program, with no local match required; and

WHEREAS, by letter dated June 20, 2016, the Budget Officer has advised that it is necessary to amend the 2016 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a Memorandum of Understanding with the Alzheimer's Association, Central New York Chapter, 411 W. Kirkpatrick St., Syracuse, New York 13204, to provide respite services under the Office for the Aging Caregiver Services Initiative for the period July 1, 2016 through December 31, 2020; and, be it further

RESOLVED, that the 2016 Herkimer County Budget is hereby amended to establish the following accounts in the amounts listed:

Revenue

A6786B.3786B, Caregiver Services Initiative	\$8,500
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Appropriation

A6786B.10000-001, Caregiver Services Initiative, Salaries	\$595
A6786B.44000, Caregiver Services Initiative, Con't Svs	\$7,650
A6786B.81000, Caregiver Services Initiative, Retirement	\$0
A6786B.83000, Caregiver Services Initiative, Social Security	\$36
A6786B.83500, Caregiver Services Initiative, Medicare	\$8

A6786B.86000, Caregiver Services Initiative, Health Ins.	\$200
A6786B.84000, Caregiver Services Initiative, Workers Comp	\$11

and, be it further

RESOLVED, that said services shall continue so long as 100% funding is available; 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 the Alzheimer's Association, Central New York Chapter.

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 165

REPORT AND RESOLUTION AMENDING PLAN APPLICATION AND CONTRACT IN CONNECTION WITH FUNDING FOR SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM

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

WHEREAS, pursuant to Resolution No. 163 adopted on June 15, 2011, this Legislature designated the Department of Social Services as the lead agency for the purposes of planning and administering services under the Supervision and Treatment Services for Juveniles Program (STSJP), and authorized a contract with Kids Oneida, Inc., in the amount of \$81,013.00, for the provision of detention diversion services through the Supervision and Treatment Services for Juveniles Program; and

WHEREAS, by letter dated June 23, 2016 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that the NYS Office of Children and Family Services (OCFS) has issued notice that they have restructured this year's program with a change in the period of performance to be from October 1, 2016 through September 30, 2017; and

WHEREAS, said letter further requests that the Chairman of the Legislature sign an amended STSJP plan with the NYS Office of Children and Family Services, and a contract extension with Kids Oneida, Inc. to continue the provision of detention services through the transition period from April 1, 2016 through September 30, 2016; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized sign and submit an amended STSJP plan with the NYS Office of Children and Family Services to change the period of performance to October 1, 2016 through September 30, 2017, in order to transfer sufficient detention allocation funds for reimbursement and to continue services programming; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized enter into a contract extension with Kids Oneida, Inc., 310 Main St., Utica, New York, 13501 to continue the provision of detention diversion under the Supervision and Treatment Services for Juveniles Program through the transition period from April 1, 2016 through September 30, 2016 ; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioner of Social Services and Kids Oneida, Inc. and the New York State Office of Children and Family Services

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 166

RESOLUTION APPROVING LAND USE PERMIT AT HERKIMER COUNTY COMMUNITY COLLEGE

Sponsored by: Committee on Education

WHEREAS, the Herkimer County Community College Board of Trustees, at its meeting held on June 22, 2016, adopted a resolution approving a 20 year land use permit agreement with the Research Foundation for the State University of New York, which approved the installation of one of 125 state wide integrated weather stations to deliver high quality weather data to emergency management, at no cost to the County or the College, with a 12 month right of revocation; and

WHEREAS, your Committee has been advised that the weather station will be on a 33 foot by 33 foot parcel with a 30 foot tower in the center, will be self-contained and solar powered, and will record weather data every five minutes to be transmitted through the cellular phone system to a central location; and

WHEREAS, your Committee has also been advised that the tower will be in a location that does not interfere with College activities; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above described land use permit upon the above described terms and conditions, with the 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, Director of Emergency Services, President of Herkimer County Community College, Vice-President for Administration and Finance at Herkimer County Community College and Research Foundation for the State University of New York.

Dated: July 6, 2016.



HERKIMER COUNTY LEGISLATURE

No. 167

RESOLUTION APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

Sponsored by: Committee on Ways and Means

RESOLVED, that the Herkimer County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following 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:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Tier I	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials								
Sheriff	Christopher P. Farber	████	██████████	6	1/1/16-12/31/19		N	35.08
Legislator	Robert J. Schrader	████	██████████	6	1/1/16-12/31/17		N	11.46
Legislator	Raymond Johnson	████	██████████	6	1/1/16-12/31/17		N	6.22
Legislator	John L. Brezinski	████	██████████	6	1/1/16-12/31/17		N	10.42
Legislator	Peter F. Manno	████	██████████	6	1/1/16-12/31/17		N	12.94
Legislator	Vincent J. Bono	████	██████████	6	1/1/16-12/31/17		N	16.43
Legislator	Kurt J. Ackerman	████	██████████	6	1/1/16-12/31/17		N	8.02
Legislator	Peter Campione	████	██████████	6	1/1/16-12/31/17		N	2.92
Legislator	Bruce Weakley	████	██████████	6	1/1/16-12/31/17		N	7.72
Appointed Officials								
Assistant Co. Atty.	Lorraine L. Lewandrowski	████	██████████	6	1/1/16-12/31/17		N	15.15
Assistant Co. Atty.	Jessica Manieri	████	██████████	6	1/1/16-12/31/17		N	11.58

Dated: July 6, 2016.