

PLEASE NOTE: Full Resolutions are attached following minutes

**MINUTES
Herkimer County Legislature
Third Quarter – Third Day
Wednesday, August 10, 2016
7:30 p.m.**

Public Hearing

The Public Hearing on the 2016-2017 HCCC Budget was called to order at 7:15 p.m. by Kurt J. Ackerman, Chairman of the Education Committee. The Clerk read the notice of the meeting. Mr. Ackerman then asked if there was anyone wishing to speak on the college budget. Mr. Ackerman presented figures on the college budget. There were no other requests to speak and the hearing was declared closed at 7:18 p.m.

**NOTICE OF HEARING
ON TENTATIVE COLLEGE BUDGET**

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer, New York, will meet at the Legislators' Chambers at 7:15 p.m. on the 10th day August, 2016 for the purpose of holding a public hearing on the tentative budget of Herkimer County Community College for the fiscal year September 1, 2016 through August 31, 2017.

FURTHER NOTICE IS HEREBY GIVEN that copies of said tentative budget are available at the office of the Clerk of the Herkimer County Legislature at Herkimer, New York, where they may be procured by any interested person during business hours.

By Order of the Herkimer County Legislature.

Dated: August 2, 2016.

Carole LaLonde, Clerk

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 Dr. Cathleen McColgin, President of Herkimer County Community College, 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, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Wellington (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 July 27, 2016. There were none, and the Chairman ordered them approved.

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

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. 238 – A communication was received from ProAct, Inc. submitting discount prescription card utilization report through June 2016. Placed on file.

No. 239 – A communication was received from the Herkimer County Historical Society expressing appreciation for county's allocation. Placed on file.

No. 240 – A communication was received from Adirondack Park Local Government Review Board expressing appreciation for county's allocation and giving update on Review Board's activities. Placed on file.

No. 241 – A communication was received from the Sr. Vice-President for Administration and Finance at Herkimer County Community College submitting Proposed Operating Budget for 2016-2017. Referred to the Committees on Education and Ways and Means.

No. 242 – A communication was received from the Commissioner of Social Services requesting Memorandum of Understanding with Office for Aging for administration of HEAP services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 243 – A communication was received from the Personnel Officer submitting request for staffing adjustment in Personnel Office. Referred to the Committee on Ways and Means.

No. 244 – A communication was received from the Executive Director of the Youth Bureau requesting staffing adjustment in Youth Bureau Office. Referred to the Committee on Ways and Means.

No. 245 – A communication was received from the Budget Officer requesting budget amendment in connection with receipt of COLA funding for Rabies Program. 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. Frederick J. Shaw, Jr., Chairman of the Committee on Natural Resources, advised that letters have been sent out to current members of the Agricultural and Farmland Protection Board in order to update the membership and asked if any legislator knew of anyone interested serving on that board to contact either him or Chairman Peplinski. Vincent J. Bono, Chairman of the Committee on County Planning and Development gave a reminder of the Oneida-Herkimer Solid Waste Authority's demolition program, which runs from December through March. Demolition of any wood frame residential home will be done without cost and the Authority will be waiving the tipping fees. Asbestos testing must be done first and the application deadline is October 31, 2016.

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Ackerman, seconded by Mr. Manno, Report and Resolution No. 185 sponsored by the Committee on Education and the Committee on Ways and Means adopting Herkimer County Community College Budget was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wellington (1).

On motion of Mr. Ackerman, seconded by Mr. Stephens, Report and Resolution No. 186 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending budget in connection with additional cost of living funding adjustment for Rabies Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Wellington (1).

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 187 sponsored by the Committee on Ways and Means approving staffing change in Herkimer County Personnel Office was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wellington (1).

On motion of Mr. Bono, seconded by Mr. Ackerman, Report and Resolution No. 188 sponsored by the Committee on Ways and Means approving staffing change in Youth Bureau was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wellington (1).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 189 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing Memorandum of Understanding between Department of Social Services and Office for the Aging for Home Energy Assistance Program services was handed up; was voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Wellington (1).

On motion of Mr. Stephens, seconded by Mr. Markwardt, Resolution No. 190 setting date for public hearing on Introductory Local Law No. 2 for 2016 was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Wellington (1).

At 7:40 p.m., on motion of Mr. Manno, seconded by Mr. Keeler, the Legislature adjourned to Wednesday, September 14, 2016 at 7:30 p.m., with a public hearing on Introductory Local Law No. 2 at 7:15 p.m.

Carole L. LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 185

REPORT AND RESOLUTION RELATIVE TO THE ADOPTION OF THE HERKIMER COUNTY COMMUNITY COLLEGE BUDGET

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

The Herkimer County Legislature, having conducted a Public Hearing on the tentative budget of the Herkimer County Community College on August 10, 2016, and after hearing all parties concerning the same, does hereby

RESOLVE, that the tentative budget of the Herkimer County Community College, for the year 2016-2017, in the total amount of \$23,692,288, of which the contribution of the County of Herkimer is \$1,630,612, be adopted; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, and President and Senior Vice President for Administration and Finance at Herkimer County Community College

Dated: August 10, 2016.



HERKIMER COUNTY LEGISLATURE

No. 186

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH ADDITIONAL COST OF LIVING FUNDING ADJUSTMENT FOR RABIES PROGRAM

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

WHEREAS, by letter dated July 25, 2016, from Sheri Ferdula, Budget Officer, this Legislature is advised that the Public Health Nursing Program has received additional COLA funding for the Rabies Grant Program, and requests amendment of the 2016 Budget in connection therewith; now, therefore, be it

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

REVENUE:

A4010.3401, Public Health Nurses, Public Health	From: \$515,636
	To: \$516,595

APPROPRIATION:

A4010.86000, Public Health, Health Insurance	From: \$283,297
	To: \$284,256

and, be it further

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

Dated: August 10, 2016.



HERKIMER COUNTY LEGISLATURE

No. 187

REPORT AND RESOLUTION APPROVING STAFFING CHANGE IN HERKIMER COUNTY PERSONNEL OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated July 15, 2016, Steven R. Billings, Personnel Officer, has requested staffing changes in the Herkimer County Personnel Office, effective September 10, 2016; and

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

RESOLVED, that, the 2016 Herkimer County Salary Schedule II is hereby amended, effective September 10, 2016, to make the following changes in Account A1430, Personnel:

- Delete position of Benefits Coordinator
- Establish base annual salary of Personnel Clerk at \$32,172
- Establish base annual salary of Personnel Assistant at \$42,000

; 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: August 10, 2016.



HERKIMER COUNTY LEGISLATURE

No. 188

REPORT AND RESOLUTION APPROVING STAFFING CHANGE IN HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated July 14, 2016, Gina Giacobelli, Executive Director of the Herkimer County Youth Bureau, has requested a staffing change in the Herkimer County Youth Bureau Department, effective August 29, 2016; and

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

RESOLVED, that, the 2016 Herkimer County Salary Schedule II is hereby amended, effective August 29, 2016, to change the position of Deputy Director of the Youth Bureau in Account A7310, Youth Bureau, from full-time to part-time (17 ½ hours per week), at the base annual salary of \$14,685; and, be it further

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

Dated: August 10, 2016.



HERKIMER COUNTY LEGISLATURE

No. 189

REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE HERKIMER COUNTY OFFICE FOR THE AGING FOR HOME ENERGY ASSISTANCE PROGRAM SERVICES

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

WHEREAS, your Committees have been informed by letter dated July 13, 2016 from Timothy Seymour, Commissioner of Social Services, that a proposed memorandum of understanding has been submitted to and accepted for the Herkimer County Office for the Aging to provide services to the Herkimer County Department of Social Services under the Home Energy Assistance Program (HEAP) for applicants 60 years and older for the 2016-2017 season; and

WHEREAS, the Herkimer County Department of Social Services agrees to pay the Herkimer County Office for the Aging 25% of the Department of Social Services HEAP administrative allocation for the Home Energy Assistance Program for the year commencing August 1, 2016; and

WHEREAS, the Home Energy Assistance Program is 100% federally funded and there are sufficient monies budgeted for said services; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes a Memorandum of Understanding between the Herkimer County Department of Social Services and the Herkimer County Office for the Aging which will provide for the Office for the Aging to provide services for the Home Energy Assistance Program for applicants 60 years and older commencing August 1, 2016 and the Herkimer County Department of Social Services will pay the Office for the Aging 25% of the Department of Social Services HEAP administrative funds for said services; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign said Memorandum of Understanding as an indication of the approval of the same by this Legislature; and, be it further

RESOLVED, that should any further additional funds be received for the 2016-2017 HEAP season, the Herkimer County Department of Social Services is hereby authorized to pass those funds on to the Office for the Aging on a pro-rated basis; and, be it further

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

Dated: August 10, 2016.



HERKIMER COUNTY LEGISLATURE

No. 190

RESOLUTION SETTING DATE FOR PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. 2 FOR 2016

Sponsored by: Committee on Ways and Means

We, the Committee on Ways and Means of the Herkimer County Legislature are causing to be prepared and will present Introductory Local Law No. 2 for the year 2016 entitled, "A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER"; now, therefore, be it

RESOLVED, that a Public Hearing will be held before the Herkimer County Legislature on the adoption of said proposed local law, to be conducted by the Committee on Ways and Means on the 14th day of September, 2016 at 7:15 p.m. in the Legislative Chambers of the County Office Building, Herkimer, New York; and, be it further

RESOLVED, that at least five days prior to such hearing the Clerk of the Legislature shall post a notice of said hearing on the bulletin board in the Courthouse and cause to be published said notice at least once in the *Times Telegram*; and, be it further

RESOLVED, that the Clerk of this Legislature place a copy of said act on the desk of each of the members of the County Legislature at least seven calendar days, exclusive of Sunday, prior to its adoption; and, be it further

RESOLVED, that if said local law shall be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one certified copy in the Office of the Secretary of State and print and publish said local in the official newspaper of the County of Herkimer pursuant to law.

Dated: August 10, 2016.