

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
First Quarter – Fourth Day
Wednesday, March 19, 2014
7:30 p.m.**

The Public Hearing on Introductory Local Law No. 1 for 2014 was called to order at 7:15 p.m. by Patrick E. Russell, Chairman of the Committee on Ways and Means. The Clerk read the notice of the hearing.

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 26th day of February , 2014, Introductory Local Law No. 1 for the year 2014 entitled, “A LOCAL LAW TO ALLOW PURCHASING BASED ON BEST VALUE”.

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 Ways and Means at the Legislative Chambers in the County Office Building, Herkimer, New York, on the 19th day of March, 2014 at 7:15 p.m. at which time all persons interested will be heard.

Dated: March 3, 2014.

By Order of the Herkimer County Legislature

Mr. Russell asked anyone wishing to speak to state their name and address. There were no appearances and the hearing was declared closed at 7:17 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 7:30 p. m.

Chairman Bono called on Dan Carter to lead the Legislature in the Pledge of Allegiance.

Chairman Bono called for a moment of silence in recognition of all veterans, past and present.

Roll Call: Quorum present, the following answering the roll:

Present: Luppino, Schrader, Wellington, Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Absent: Rose, Johnson, Hyde, Brezinski (4).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of February 26, 2014. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individual spoke on the following topic: Daniel Carter – Consolidation.

Chairman Bono 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. 85 – A communication was received from the Soil and Water Conservation District submitting minutes of meeting held on 2/11/14. Placed on file.

No. 86 – A communication was received from the Budget Officer/Purchasing Agent submitting the Annual Report for 2013. Referred to the Committee on Ways and Means.

No. 87 – A communication was received from the Ilion Public Library expressing appreciation for county's allocation. Placed on file.

No. 88 – A communication was received from the Erie Canalway National Heritage Corridor submitting Annual Report for 2013. Placed on file.

No. 89 – A communication was received from the Mental Health Services submitting February activities update. Placed on file.

No. 90 – A communication was received from ProAct, Inc. submitting the County Discount Prescription Card Report for January. Placed on file.

No. 91 – A communication was received from the Commissioner of Social Services requesting a contract with Kids Oneida for the provision of parenting classes for parents involved in various states of child welfare services. Referred to the Committees on Human Resources and Ways and Means.

No. 92 – A communication was received from the Director of the Office for the Aging requesting various contract renewals under the EISEP Program. Referred to the Committees on Human Resources and Ways and Means.

No. 93 – A communication was received from the Director of Information Services requesting a temporary staffing change. Referred to the Committee on Ways and Means.

No. 94 – A communication was received from the County Auditor submitting the report of approval of refunds of taxes for February. Referred to the Committee on Ways and Means.

No. 95 – A communication was received from the Commissioners of Elections requesting extension of a grant. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 96 – A communication was received from the Budget Officer/Purchasing Agent requesting adoption of Revised Purchasing Policy. Referred to the Committee on Ways and Means.

No. 97 – A communication was received from the Personnel Officer requesting amendment of the Salary Schedule. Referred to the Committee on Ways and Means.

No. 98 – A communication was received from the Director of Public Health requesting renewal of contract for Early Intervention Program. Referred to the Committees on Human Resources and Ways and Means.

No. 99 – A communication was received from the Sheriff submitting the monthly report for January. Referred to the Committee on Public Safety/Emergency Management.

No. 100 – A communication was received from the Budget Officer/Purchasing requesting contract for auction of surplus property. Referred to the Committee on Ways and Means.

No. 101 – A communication was received from the Budget Officer/Purchasing Agent submitting request for approval to donate used Highway Department dump truck. Referred to the Committee on Highways.

No. 102 – A communication was received from the Sewer District submitting letter for reappointment of designee from Town of Frankfort to Sewer Board. Referred to the Committee on Natural Resources.

No. 103 – A communication was received from the Director of Public Health requesting contract with Oneida County Department of Health for treatment of Herkimer County residents. Referred to the Committee on Human Resources and Ways and Means.

No. 104 – A communication was received from the West Canada Creek Assoc., Inc. recommending reappointment of David Hyney as sportsmen's representative on Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 105 – A communication was received from the Chairman of the Legislature reappointing David Hyney as sportsmen's representative on Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 106 – A communication was received from the Director of Real Property Tax Services submitting request for correction of tax roll over \$2,500. Referred to the Committee on Ways and Means.

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

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

For: Ayes (13).

Against: None.

Absent: Rose, Johnson, Hyde, Brezinski (4).

Consent Agenda:

- 80 PUB. SFTY./EMER. MGMT.: Approving Monthly Report of Sheriff
- 81 WAYS & MEANS: Adopting Annual Report of Purchasing Agent
- 82 NAT. RESOURCES: Designating Member to Sewer Board
- 83 NAT. RESOURCES: Appointing Member to Regional Fish and Wildlife Management Board

On motion of Mr. Russell, seconded by Mr. Luppino, Report and Resolution No. 84 of the Committee on Ways and Means adopting Introductory Local Law No. 1 for 2014 was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: None.

Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 85 of the Committee on Highways approving donation of Dump Truck to Herkimer County BOCES was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Luppino, seconded by Mr. Shaw, Report and Resolution No. 86 of the Committees on Human Resources and Ways and Means authorizing contract in Department of Social Services for Family Parenting Classes was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 87 of the Committees on Ways and Means and Human Resources authorizing contract with Oneida County Health Department for Treatment of Herkimer County Residents was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Peplinski, seconded by Mr. Russell, Report and Resolution No. 88 of the Committee on Ways and Means authorizing contract with auctioneer for surplus property was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Ackerman, seconded by Mr. Stephens, Report and Resolution No. 89 of the Committee on Ways and Means for temporary staffing change in the Information Services Department was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Luppino, seconded by Mr. Stephens, Report and Resolution No. 90 of the Committee on Administration/Veterans Affairs and the Committee on Ways and Means extending contract for grant for Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 91 of the Committee on Ways and Means adopting updated Policies and Procedures for purchase of goods and services and Professional Services Procurement Policy was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Luppino, seconded by Mr. Ackerman, Report and Resolution No. 92 of the Committee on Ways and Means for amendment of Salary Schedule in connection with mandated salary of District Attorney was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 93 of the Committees on Human Resources and the Committee on Ways and Means authorizing contract with the State of New York for funding for Early Intervention Administration Program was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 94 of the Committee on Ways and Means and the Committee on Human Resources concerning services in connection with the Expanded In Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Russell, seconded by Mr. Luppino, Report and Resolution No. 95 of the Committee on Ways and Means correcting tax roll in the Town of Webb was handed up; was voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Shaw, seconded by Mr. Russell, Report and Resolution No. 96 of the Committee on Administration/Veterans Affairs and the Committee on Ways and Means authorizing Home Rule Request was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None. Absent: Rose, Johnson, Hyde, Brezinski (4).

On motion of Mr. Schrader, seconded by Mr. Russell, Report and Resolution No. 97 of the Committees on Human Resources, Ways and Means and County Properties regarding Country Manor; discussion was held; was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: None.

Absent: Rose, Johnson, Hyde, Brezinski (4).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators.

The following legislator had further comments: Mr. Peplinski, Mr. Shaw.

Mr. Manno made a motion, seconded by Mr. Schrader, to suspend Rule Nos. 1 and 5 to change the second quarterly session from April 2nd to April 9th, 2014 at 2:00 p.m. The motion was approved by voice vote:

Ayes (13).

Against: None.

Absent: Rose, Johnson, Hyde, Brezinski (4).

At 7:50 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, April 9, 2014 at 2:00 p.m.