

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
Second Quarter – First Day
Wednesday, April 9, 2014
2:00 p.m.**

The Second Quarterly Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 2:00 p. m.

Chairman Bono called on Bernard Decker, Budget Officer and Purchasing Agent, to lead the Legislature in the Pledge of Allegiance.

Mr. Bono requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County.

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

Present: Luppino, Rose, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Peplinski, Korce, Russell, Weakley (14).

Absent: Schrader, Ackerman, Shaw (3).

Chairman Bono dispensed with the regular session and called upon Bernard Decker, Budget Officer and Purchasing Agent. Chairman Bono presented Mr. Decker with a plaque upon his pending retirement and expressed appreciation to him for his 38 years of service to Herkimer County.

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 March 19, 2014. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. There was one appearance: JoAnne LeClair – Country Manor.

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. 107 – A communication was received from the Herkimer County Humane Society expressing thanks for the County's allocation. Placed on file.

No. 108 – A communication was received from ProAct, Inc. submitting the County Discount Prescription Card report for February. Placed on file.

No. 109 – A communication was received from the Old Forge Library expressing thanks for the County's allocation. Placed on file.

No. 110 – A communication was received from National Grid submitting Semi- Annual PCB report. Placed on file.

No. 111 – A communication was received from the Budget Officer submitting request for budget amendment in connection with Immunization Grant. Referred to the Committee on Human Resources.

No. 112 – A communication was received from the Budget Officer concerning bid for Highway Department equipment. Referred to the Committee on Highways.

No. 113 – A communication was received from the Budget Officer concerning bid for Highway Department equipment. Referred to the Committee on Highways.

No. 114 – A communication was received from the Sheriff submitting the monthly report for February. Referred to the Committee on Public Safety/Emergency Management.

No. 115 – A communication was received from the Budget Officer requesting permission for contract for membership in Empire State Purchasing Group for web-based bidding service. Referred to the Committee on Ways and Means.

No. 116 – A communication was received from the Director of Community Services requesting amendment of part-time salary schedule for position increase. Referred to the Committees on Human Resources and Ways and Means.

No. 117 – A communication was received from the Director of Real Property Tax Services submitting 2013 Annual Report. Referred to the Committee on Ways and Means.

No. 118 – A communication was received from the Sheriff submitting his 2013 Annual Report. Referred to the Committee on Public Safety/Emergency Management.

No. 119 – A communication was received from the Director of Real Property Tax Services requesting renewal of contract to provide assessment services to the Town of Danube. Referred to the Committee on Ways and Means.

No. 120 – A communication was received from the Executive Director of the Youth Bureau requesting contract for Integrated Planning Services. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 121 – A communication was received from the Budget Officer concerning bid award for equipment for Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 122 – A communication was received from the Commissioners of Elections requesting extension of grant. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 123 – A communication was received from the County Highway Superintendent submitting the 2013 Annual Report. Referred to the Committee on Highways.

No. 124 – A communication was received from the Budget Officer requesting amendment of resolution for provision of insurance coverages. Referred to the Committee on Ways and Means.

No. 125 – A communication was received from the Director of Public Health requesting amendment regarding Healthy Families Program contract with Kids Oneida, Inc. Referred to the Committee on Human Resources.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Peter Manno, Chairman of the Committee on Education, reported on the action of the Education Committee and the resolution that will be brought forward.

On motion of Mr. Hyde, seconded by Mr. Weakley, the following Consent Agenda was handed up; Mrs. Rose requested Resolutions NO. 100 and 101 be withdrawn from the Consent Agenda and voted on separately.

The Consent Agenda (Resolutions 98 and 99) were then voted on

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

Consent Agenda:

98	HIGHWAYS: Adopting Annual Report of Supt. Of Highways	VOICE
99	WAYS & MEANS: Approving Annual Report of Real Property Tax Office	VOICE

On motion of Mr. Peplinski, seconded by Mr. Johnson, Report and Resolution No. 100 of the Committee on Public Safety/Emergency Management approving annual report of the Sheriff was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (13).

Against: Rose (1).

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Peplinski, seconded by Mr. Luppino, Report and Resolution No. 101 of the Committee on Public Safety/Emergency Management approving monthly report of the Sheriff was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: Rose (1).

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Korce, seconded by Mr. Russell, Report and Resolution No. 102 of the Committee on Ways and Means authorizing extension of contract with the Town of Danube to provide assessment services was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Wellington, seconded by Mr. Luppino, Report and Resolution No. 103 of the Committee on Ways and Means authorizing contract for membership in Empire State Purchasing Group was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Johnson, seconded by Mr. Smith, Report and Resolution No. 104 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing contract with Center for Family Life and Recovery for services of Integrated County Planning Strategic Coordinator was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Smith, seconded by Mr. Russell, Report and Resolution No. 105 of the Committees on Human Resources and Ways and Means amending Resolution No. 280 of 2013 adjusting wages for hourly employees was handed up; was voted on and adopted by roll call vote:

For: Luppino, Rose, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Peplinski, Korce, Russell, Weakely (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Russell, seconded by Mr. Luppino, Report and Resolution No. 106 of the Committees on Ways and Means amending Resolution No. 320 of 2013 authorizing insurance coverages was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Stephens, seconded by Mr. Hyde, Report and Resolution No. 107 of the Committee on Natural Resources and the Committee on Ways and Means awarding bid for equipment for Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 108 of the Committee on Highways rejecting bid and awarding bid for equipment for Herkimer County Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Brezinski, seconded by Mr. Weakley, Report and Resolution No. 109 of the Committee on Highways rejecting bid and authorizing rebidding for truck for Herkimer County Highway Department was handed up; Mr. Weakley made a motion to amend the resolution, seconded by Mr. Hyde, as follows: In the First Resolved Clause after “re-advertise for bids” add “or purchase off of municipal contracts”. The amendment was adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

The resolution, as amended, was adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Hyde, seconded by Mr. Luppino, Report and Resolution No. 110 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; was voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 111 of the Committees on Human Resources and Ways and Means authorizing renewal of contract with New York State Department of Health for Immunization Action Plan and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Smith, seconded by Mr. Luppino, Report and Resolution No. 112 of the Committees on Human Resources and Ways and Means amending Resolution No. 310 of 2013 concerning revised contract with Kids Oneida, Inc. for implementation of Healthy Families Program was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Hyde, seconded by Mr. Stephens, Resolution No. 113 of the Committee on Natural Resources and the Committee on Ways and Means approving an increase and improvement of the facilities of the Herkimer County Sewer District in and for the County of Herkimer, was handed up; voted on and adopted by voice vote:

For: For: Luppino, Rose, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Peplinski, Korce, Russell, Weakely (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Peplinski, seconded by Mr. Hyde, Resolution No. 114 of the Committee on Natural Resources setting public hearing on annual thirty-day period for 2014 for inclusion of viable agricultural land within a certified agricultural district was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Korce, seconded by Mr. Peplinski, Resolution No. 115 of the Committees on County Planning and Development and Ways and Means authorizing the adoption of amendments to existing Solid Waste Management Agreements of Herkimer County, New York for purposes of extending the terms for additional twenty-five year periods was handed up; voted on and adopted by voice vote:

For: For: Luppino, Rose, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Peplinski, Korce, Russell, Weakely (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Manno, seconded by Mr. Luppino, Resolution No. 116 of the Committee on Education opposing merger between Herkimer County Community College and Mohawk Valley Community College was handed up; discussion was held; Mr. Manno made a motion, seconded by Mr. Hyde, to amend the resolution as follows: In the First Resolved Clause after “institution” add “at this time”. The amendment was adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

The resolution, as amended, was adopted by voice vote:

For: Ayes (13).

Against: Rose (1).

Absent: Schrader, Ackerman, Shaw (3).

On motion of Mr. Korce, seconded by Mr. Johnson, Resolution No. 117 of the Committees on Human Resources, County Properties and Ways and Means authorizing closing of the Country Manor was handed up; discussion was held; Mr. Hyde made a motion, seconded by Mr. Johnson, to move the question. The motion was approved by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

The resolution was voted on and adopted by roll call vote:

For: Luppino, Rose, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Peplinski, Korce, Russell, Weakley (14).

Against: None.

Absent: Schrader, Ackerman, Shaw (3).

Chairman Bono then asked County Attorney Malone to give a short report on an article he had received through the New York State Bar Association. The article was written by three SUNY professors concerning municipalities that are fiscally responsible based on their average per capita debt, and Herkimer County ranked number one on their chart. Mr. Malone stated there was another chart concerning the health of the county based on the percent spent on infrastructure and Herkimer County was also ranked as number one, adding that Herkimer County was also mentioned in the article as having their bond rating upgraded by Moody's Investors. Chairman Bono stated that this is a tribute to the county employees who work hard to keep the county running efficiently every day.

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Helen Rose, Robert Hyde, Raymond Johnson and Chairman Bono.

At 3:00 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, April 23, 2014 at 7:30 p.m.