

(PLEASE NOTE: Full Resolutions are attached following minutes)

MINUTES
Herkimer County Legislature
Second Quarter – Third Day
Wednesday, May 21, 2014
7:30 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 7:37 p. m.

Chairman Bono called on Sheri Ferdula, 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, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Rose (1).

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 April 23, 2014. There were none, and the Chairman ordered them approved.

Chairman Bono dispensed with the regular session and called upon Terrence O’Neill from ProAct, Inc. for a presentation. Mr. O’Neill gave a brief update on the Prescription Drug Card Program and its savings to residents in Herkimer County.

Chairman Bono then called upon David Berg of Cameron Engineering and Associates, who gave a brief overview of the New York Rising Reconstruction Program, which is a program focusing on five counties, including Herkimer County, which were impacted by the severe summer storms of 2013 and aid in the development of countywide long term resiliency strategies and projects. He advised that all the information on this program is available at www.stormrecovery.ny.gov.

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

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. Mr. Korce requested Communication No. 157 be read and Mr. Hyde requested Communication No. 142 be read.

No. 142– A communication was received from Herkimer BOCES expressing appreciation for the donation of a dump truck. Placed on file.

No. 143 – A communication was received from Cornell Cooperation Extension Services submitting program highlights for January through March, 2014. Placed on file.

No. 144 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting their 2013 Annual Report. Placed on file.

No. 145 – A communication was received from the U.S. Department of Transportation concerning Canal Harbor Multi-Modal Project. Placed on file.

No. 146 – A communication was received from the STOP-DWI Coordinator submitting his 2013 Annual Report. Referred to the Committee on Public Safety and Emergency Management.

No. 147 – A communication was received from the Sheriff submitting his monthly report for March. Referred to the Committee on Public Safety and Emergency Management.

No. 148 – A communication was received from the Recording Officer & Co. Treasurer submitting Semi-Annual Mortgage Tax Report. Referred to the Committee on Ways and Means.

No. 149 – A communication was received from the Executive Director of the Youth Bureau submitting her 2013 Annual Report. Referred to the Committee on County Planning and Development.

No. 150 - A communication was received from the Personnel Officer requesting a staffing adjustment. Referred to the Committee on Ways and Means.

No. 151 – A communication was received from the County Highway Superintendent submitting Capital Construction Project.

No. 152 – A communication was received from the Director of Probation requesting approval of Alternatives to Incarceration Contracts. Referred to the Committee on Public Safety/Emergency Management and the Committee on ways and Means.

No. 153 – A communication was received from the Budget Officer submitting recommendation for purchase of truck for Highway Department under Onondaga County contract. Referred to the Committee on Highways

No. 154 – A communication was received from the Budget Officer recommending acceptance of bids for surplus equipment. Referred to the Committee on Ways and Means.

No. 155 – A communication was received from the Budget Officer submitting request for budget amendment in connection with additional CHIPS funding. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 156 – A communication was received from the Soil and Water Conservation District submitting minutes of 4/8/14. Placed on file.

No. 157 – A communication was received from the County Attorney advising of the receipt of a Notice of Claim. Referred to the Committee on Ways and Means.

No. 158 – A communication was received from the Personnel Officer advising of a request from the Town of Newport for withdrawal from the Self-Insurance Plan. Referred to the Committee on Ways and Means.

No. 159 – A communication was received from the Budget Officer submitting recommendation of award of contract for bus service for 2014 Old Forge Transportation Program. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 160 – A communication was received from the STOP-DWI Coordinator submitting request for reappointments to STOP-DWI Advisory Board. Referred to the Committee on Public Safety/Emergency Management.

No. 161 – A communication was received from the Interim Present/VP for Administration and Finance at HCCC requesting approval for 2014 Summer Four Day Work Week Program. Referred to the Committees on Education and Ways and Means.

No. 162 – A communication was received from the Sheriff requesting establishment of a part-time position. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 163 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting results of electronic waste recycling event held on May 3, 2014. Placed on file.

No. 164 – A communication was received from the Budget Officer recommending budget amendment in connection with receipt of Healthy Places Grant. Referred to the Committees on Ways and Means and Human Resources.

No. 165 – A communication was received from the Executive Director of Herkimer County HealthNet, Inc. requesting acceptance of the Healthy Places Grant Funding. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 166 – A communication was received from the Director of Public Health requesting program changes. Referred to the Committee on Human Resources.

No. 167 – A communication was received from the Personnel Officer requesting agreement for health insurance eligibility audit. Referred to the Committee on Ways and Means.

No. 168 – A communication was received from the Budget Officer submitting recommendation for award of bid for Meals on Wheels for Office for Aging. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 169 – A communication was received from Oneida-Herkimer Solid waste Authority submitting minutes and recently adopted resolutions. Placed on file.

No. 170 – A communication was received from the Budget Officer requesting amendment of resolution in connection with Education of Handicapped Children Program. Referred to the Committees on Human Resources and Ways and Means.

No. 171 – A communication was received from the Budget Officer concerning purchase and installation of new water meters. Referred to the Committees on County Properties and 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 (16).

Against: None.

Absent: Rose (1).

Consent Agenda:

- 133 PUB. SFTY./EMER. MGMT: Annual Report of STOP-DWI Program
- 134 PLANNING & DEV.: Annual Report of Youth Bureau
- 135 PUB. SFTY./EMER. MGMT.: Monthly Report of Sheriff
- 136 PUB. SFTY./EMER. MGMT.: Membership on STOP-DWI Advisory Board

Chairman Bono continued with Reports and Resolutions and Resolutions.

On motion of Mr. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 137 of the Committee on Ways and Means authorizing agreement with Bonadio and Company for independent eligibility audit of county sponsored health insurance was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 138 of the Committee on Human Resources and the Committee on Ways and Means authorizing contract with New York State Department of Health for Herkimer County HealthNet, Inc. and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Smith, seconded by Mr. Russell, Report and Resolution No. 139 of the Committee on Human Resources and the Committee on Ways and Means awarding bids for provision of Meals for Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 140 of the Committee on Human Resources concerning Public Health Nursing Service programs was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 141 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means

amending Resolution No. 280 of 2013 adjusting wages for hourly employees was handed up; discussion was held; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Akerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Luppino, seconded by Mr. Russell, Report and Resolution No. 142 of the Committee on Ways and Means authorizing staffing change in Herkimer County Personnel Office was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Stephens, seconded by Mr. Peplinski, Report and Resolution No. 143 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing execution of Alternatives to Incarceration contracts was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 144 of the Committee on County Planning and Development and the Committee on Ways and Means awarding bid for bus service for the Old Forge Area Transportation Program for the 2014 Summer Youth Employment Program was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Weakley, seconded by Mr. Russell, Report and Resolution No. 145 of the Committee on Ways and Means apportioning mortgage tax was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Hyde, seconded by Mr. Brezinski, Report and Resolution No. 146 of the Committee on Highways awarding bid for purchase of equipment for Highway Department was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Weakley, seconded by Mr. Russell and Mr. Brezinski, Report and Resolution No. 147 of the Committee on Ways and Means and the Committee on Highways amending budget in connection with additional CHIPS funds for 2014 was handed up; was voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Weakley, seconded by Mr. Peplinski, Report and Resolution No. 148 of the Committee on Ways and Means authorizing the compromise and settlement of the obligations of the Town of Newport to the Herkimer County Self-Insurance Plan was handed up; discussion was held; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Peplinski, seconded by Mr. Stephens, Report and Resolution No. 149 of the Highways approving project under Article 6, Section 116 of the Highway Law, was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Manno, seconded by Mr. Ackerman, Resolution No. 150 of the Committee on Education and the Committee on Ways and Means concerning four day work week at Herkimer County Community College was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (14).

Abstain: Johnson (1).

Against: Smith (1).

Absent: Rose (1).

On motion of Mr. Johnson, seconded by Mr. Peplinski, Resolution No. 151 of the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 312 of 2013 approving agreement for purchase of software for the Education of Handicapped Children's Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Hyde, seconded by Mr. Wellington, Report and Resolution No. 152 of the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means urging the New York State Legislature and Governor to halt unfunded mandates that use local tax collars to fund state programs and services was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Luppino, seconded by Mr. Hyde, Resolution No. 153 of the Committee on Administration/Veterans' Affairs opposing Assembly Bill A.689-A mandating early voting in New York State was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Rose (1).

On motion of Mr. Johnson, seconded by Mr. Peplinski, Resolution No. 154 of the Committee on Administration/Veterans' Affairs supporting the E23 Casino Project located in the City of Albany in Albany County was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Rose (1).

On motion of Mr. Johnson, seconded by Mr. Stephens, Resolution No. 155 of the Committee on County Properties authorizing redemption of parcels taken under In Rem Tax Foreclosure was handed up; discussion was held; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Rose (1).

On motion of Mr. Weakley and Mr. Hyde, seconded by all other legislators, Resolution No. 156 In Memoriam to Robert M. Nightingale, was handed up; voted on and adopted by voice:

For: Ayes (16).

Against: None. Absent: Rose (1).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Raymond Smith, Peter Manno and Chairman Bono.

At 8:10 p.m. on motion of Mr. Manno, seconded by Mr. Hyde, the Legislature adjourned to Wednesday, June 11, 2014 at 7:30 p.m.