

(PLEASE NOTE: Full Resolutions are attached following minutes)

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

Public Hearing

The Public Hearing on Introductory Local Law No. 3 for 2014 was called to order at 7:00 p.m. by Patrick E. Russell, Chairman of the Ways and Means Committee. The Clerk read the notice of the meeting. Mr. Russell 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 7:02 p.m.

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 22nd day of October, 2014, Introductory Local Law No. 3 for the year 2014 entitled, "A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE."

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 November, 2014 at 7:00 p.m. at which time all persons interested will be heard.

Dated: November 7, 2014.

By Order of the Herkimer County
Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 7:32 p. m.

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

Absent: Stephens (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 October 22, 2014 and minutes of special session held on November 12, 2014. There were none, and the Chairman ordered them approved.

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. Legislator Korce requested Communication No. 340 be read.

No. 336 – A communication was received from the Director of Community Services submitting October activities update. Placed on file.

No. 337 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting proposed 2015 Budget. Placed on file.

No. 338 - A communication was received from the Soil & Water Conservation District submitting minutes of 10/14/14. Placed on file.

No. 339 – A communication was received from the County Treasurer submitting the apportionment of the Mortgage Tax for April through September. Referred to the Committee on Ways and Means.

No. 340 – 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. 341 – A communication was received from NYSAC acknowledging receipt of resolutions. Placed on file.

No. 342 – A communication was received from the Executive Director of the Youth Bureau requesting a contract for services of Strategic Planning Coordinator. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 343 – A communication was received from the Personnel Officer requesting a contract with Excellus Health Plan for Administrative services. Referred to the Committee on Ways and Means.

No. 344 – Two communications were received from Senator Seward acknowledging receipt of resolutions. Placed on file.

No. 345 – A communication was received from the Sheriff requesting renewal of contract with Unified Court System for provision of court security. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 346 – A communication was received from the County Attorney’s Office advising of settlement of contract with Highway Association. Referred to the Committee on Ways and Means.

No. 347 – A communication was received from the Commissioner of Social Services requesting renewal of contract with Kids Oneida, Inc. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 348 – A communication was received from the Budget Officer submitting recommendations for award of bids for asbestos removal, floor replacement and curtain wall reconstruction. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 349 – A communication was received from the Town of Webb Publicity Director requesting designation as Tourism Promotion Agency for 2015 matching funds. Referred to the Committee on County Planning and Development.

No. 350 – A communication was received from the Town of Webb Publicity Director requesting guarantee of 2015 Tourism Promotion Agency for 2015 matching funds. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 351 – A communication was received from the Budget Officer requesting acceptance of Ignition Interlock Monitoring Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 352 – A communication was received from the Budget Officer requesting printing of tentative copies of budget. Referred to the Committee on Ways and Means.

No. 353 – A communication was received from the Budget Officer requesting binding of insurance coverages. Referred to the Committee on Ways and Means.

No. 354 – A communication was received from the Personnel Officer requesting contract with Excellus Health Plan for Stop Loss Coverage. Referred to the Committee on Ways and Means.

No. 355 – A communication was received from the Personnel Officer requesting contract with Lifetime Benefits Solutions for Self-Insured Dental Plan. Referred to the Committee on Ways and Means.

No. 356 – A communication was received from the Chairman of the Herkimer County Sewer District submitting proposed Assessment Roll. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 357 – A communication was received from the Budget Officer/Purchasing Agent requesting renewal of contract with Unified Court System for provision of court security. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 358 – A communication was received from the Director of Probation requesting acceptance of Ignition Interlock Grant for contract period October 1, 2014 – September 30, 2015. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 359 – A communication was received from the Budget Officer submitting the Tentative 2015 County Budget. Referred to the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Mr. Russell advised that the Tentative 2015 County Budget has been prepared and includes a 1.9% increase and for those residents who receive an increase will be receiving a refund check from the State of New York.

Chairman Bono asked for the students to introduce themselves and what schools they attended.

Chairman Bono continued with Reports and Resolutions and Resolutions.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 276 of the Committee on Ways and Means adopting Introductory Local Law No. 3 for 2014 was handed up; discussion was held; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: Rose (1).

Absent: Stephens (1).

On motion of Mr. Peplinski, seconded by Mr. Luppino, Report and Resolution No. 277 of the Committee on Ways and Means apportioning mortgage tax was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Stephens (1).

On motion of Mr. Hyde, seconded by Mr. Shaw, Report and Resolution No. 278 of the Committee on Natural Resources and the Committee on Ways and Means setting public hearing on Sewer District Assessment Roll was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Stephens (1).

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 279 of the Committee on Ways and Means concerning Stop Loss coverage for health insurance was handed up; discussion was held; Mr. Russell made a motion, seconded by Mr. Hyde, to amend the resolution in the First Resolved Clause after “per participant” to add “per month”; the amendment was voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

The resolution, as amended, was voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Stephens (1).

Abstain: Wellington (1).

On motion of Mr. Hyde, seconded by Mr. Russell, Report and Resolution No. 280 of the Committee on Ways and Means concerning stop loss coverage for health insurance was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Stephens (1).

Abstain: Wellington (1).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 281 of the Committee on Ways and Means approving contract with Excellus Health Plan, Inc. for administrative services was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Stephens (1).

Abstain: Wellington (1).

On motion of Mr. Peplinski, seconded by Mr. Shaw, Report and Resolution No. 282 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; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Luppino, seconded by Mr. Hyde, Report and Resolution No. 283 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with Ignition Interlock Monitoring Device Grant was handed up; voted on and adopted by voice vote:

For: Ayes: (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 284 of the Committee on Ways and Means accepting tentative budget and fixing time and place for public hearing was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Hyde, seconded by Mr. Russell, Report and Resolution No. 285 of the Committee on Ways and Means authorizing preparation of tentative copies of budget was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Hyde, seconded by Mr. Johnson, Report and Resolution No. 286 of the Committee on Ways and Means and the Committee on Public Safety/Emergency Management authorizing a contract with the New York State Office of Court Administration to provide court security services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Luppino, seconded by Mr. Schrader, Report and Resolution No. 287 of the Committee on County Planning and Development authorizing application for matching funds under New York State Tourist Promotion Act was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Johnson, seconded by Mr. Luppino, Report and Resolution No. 288 of the Committee on County Planning and Development and the Committee on Ways and Means concerning guarantee of 2015 tourism matching funds was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 289 of the Committee on Ways and Means concerning insurance coverages was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 290 of the Committee on Human Resources and the Committee on Ways and Means authorizing contracts with Kids Oneida, Inc. in connection with at risk youth services was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Hyde, seconded by Mr. Schrader, Report and Resolution No. 291 of the Committee on Ways and Means and the Committee on County Properties awarding contracts for asbestos removal/floor replacement and curtain wall reconstruction project was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Stephens (1).

On motion of Mr. Luppino, seconded by Mr. Russell, Report and Resolution No. 292 of the Committee on Ways and Means ratifying agreement between the County of Herkimer and the United Public Service Employees Association was handed up; discussion was held; voted on and adopted by roll call vote:

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

Against: None. Absent: Stephens (1).

On motion of Mr. Russell, seconded by Mr. Shaw, Resolution No. 293 of the Committee on Ways and Means adopting Salary Schedules for the year 2015 was handed up; discussion was held. Mrs. Rose, made a motion to divide the resolution for a separate vote on each salary schedule. Not receiving a second, the motion was not approved. Resolution No. 293 was then adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: Rose (1). Absent: Stephens (1).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Mr. Korce, Mr. Hyde, Mr. Smith, Mrs. Rose.

At 7:57 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, December 17, 2014 at 7:30 p.m., with a Public Hearing on the Sewer District Assessment Roll at 7:15 p.m., and with a Public Hearing on the Tentative 2015 County Budget to be held on Wednesday, December 10, 2014 at 7:00 p.m.