

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
Fourth Quarter – Fifth Day
Wednesday, December 17, 2014
7:30 p.m.**

Public Hearing

The Public Hearing on the Assessment Roll for the Herkimer County Sewer District to be used in the year 2015 was called to order at 7:15 p.m. by Frederick J. Shaw, Jr., Chairman of the Committee on Natural Resources. The clerk read the notice of the hearing. Chairman Shaw asked if anyone wished to speak at the hearing. There were no appearances, and the hearing was declared closed at 7:17 p.m.

LEGAL NOTICE

**NOTICE OF COMPLETION OF ASSESSMENT ROLL AND PUBLIC HEARING ON
ASSESSMENT ROLL FOR THE HERKIMER COUNTY SEWER DISTRICT TO BE USED
IN THE YEAR 2015**

NOTICE IS HEREBY GIVEN that the assessment roll for the Herkimer County Sewer District for the year beginning January 1, 2015 has been completed and filed in the Office of the Clerk of the Herkimer County Legislature at the County Office Building in Herkimer, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the said assessment roll to hear and consider any objections which may be made to the Assessment Roll at the Herkimer County Legislators' Chambers in the County Office Building in the Village of Herkimer, New York, on the 17th day of December, 2014 at 7:15 p.m.

Dated: December 5, 2014

By Order of the Herkimer
County Legislature

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

Chairman Bono called on Ted Teletnick to lead the Legislature in the Pledge of Allegiance.

Chairman 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, Stephens, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Absent: Hyde, Brezinski (2).

Chairman Bono dispensed with the regular session to allow for a proclamation and called on Legislator Peplinski. Mr. Peplinski presented a proclamation to Ted Teletnick upon his retirement from the Herkimer County Soil and Water Conservation District and expressed appreciation for his many years of service.

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 November 19, 2014 and the public hearing on December 10, 2014. There were none and they were ordered approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. No individuals had signed up speak.

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. 360 – A communication was received from Capital District OTB submitting financial reports for August and September. Placed on file.

No. 361 – A communication was received from the County Treasurer submitting report of Unpaid School, Village and City taxes. Referred to the Committee on Ways and Means.

No. 362 – A communication was received from the Director of the Office for the Aging requesting renewal of contract for Community Transportation Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 363 – A communication was received from the Director of the Office for the Aging requesting renewal of contracts for respite services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 364 – A communication was received from the Budget Officer submitting recommendation of award of bid for chemical for Sewer District Plant. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 365 – A communication was received from the Director of Real Property Tax Services submitting table of Forms and Footings. Referred to the Committee on Ways and Means.

No. 366 – A communication was received from the Director of Real Property Tax Services submitting levy for Consolidated Health Districts. Referred to the Committee on Ways and Means.

No. 367 – A communication was received from the Director of Community Services submitting report of November activities update. Placed on file.

No. 368 – A communication was received from the Herkimer County Soil and Water Conservation District submitting minutes of November 12, 2014 meeting. Placed on file.

No. 369 – A communication was received from ProAct, Inc. submitting report for October of County Discount Prescription Card Plan. Placed on file.

No. 370 – Two communications were received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 371 – A communication was received from the Budget Officer submitting request for budget amendment in connection with Immunization Action Plan reimbursement. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 372 – A communication was received from the Budget Officer submitting recommendation for renewal of Immunization Assistance Program between Office for the Aging and Public Health. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 373 – A communication was received from the Budget Officer requesting award of bid for provision of meals on wheels for Mohawk area. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 374 – A communication was received from the Director of Community Services requesting reappointments and appointment to Community Services Board. Placed on file.

No. 375 – A communication was received from the Chairman of the Legislature concerning membership on Community Services Board. Placed on file.

No. 376 – A communication was received from the Director of the Office for the Aging requesting contract under EISEP Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 377 – A communication was received from Senator Seward advising of expiration of 1 ¼% sales tax legislation in November of 2015. Referred to the Committee on Ways and Means.

No. 378 – A communication was received from the Budget Officer submitting requests for appropriation of funds. Referred to the Committee on Ways and Means.

No. 379 – A communication was received from the Director of Real Property Tax Services submitting Equalization Table. Referred to the Committee on Ways and Means.

No. 380 – A communication was received from the Director of Community Services requesting amendment of contract with Herkimer ARC to provide employment services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 381 – A communication was received from the Director of Community Services requesting amendment of contract for provision of electronic medical records services. Referred to the Committee on Ways and Means and the Committee on Human Resources.

No. 382 – A communication was received from the Chairwoman of the Republican Committee submitting recommendation for appointment of Republican Commissioner of Elections. Referred to the Committee on Administration/Veterans' Affairs.

No. 383 – A communication was received from the Chairman of the Democratic Committee submitting recommendation for appointment of Democratic Commissioner of Elections. Referred to the Committee on Administration/Veterans' Affairs.

No. 384 – A communication was received from the Budget Officer submitting request for renewal of insurance coverages. Referred to the Committee on Ways and Means.

No. 385 – A communication was received from the Commissioner of Social Services requesting renewal of agreement with local funeral directors for expenses in connection with burial expenses for indigent individuals and eligible deceased veterans. Referred to the Committee on Human Resources, the Committee on Ways and Means and the Committee on Administration/Veterans Affairs.

No. 386 – A communication was received from the County Administrator requesting establishment of part-time salary schedule for 2015. Referred to the Committee on Ways and Means.

No. 387 – A communication was received from the Director of Real Property Tax Services requesting cancellation of contract with Town of Salisbury for provision of data collection services. Referred to the Committee on Ways and Means.

No. 388 – A communication was received from the County Highway Superintendent requesting approval of Capital Construction Projects for 2015. Referred to the Committee on Highways.

No. 389 – A communication was received from the County Highway Superintendent requesting Chairman to execute necessary documents in connection with federal reimbursement for emergency flood repair work. Referred to the Committee on Highways.

No. 390 – A communication was received from the Director of Public Health requesting staffing change. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 391 – A communication was received from the Budget Officer submitting recommendation for award of bids for Belt Press Replacement Project. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 392 – A communication was received from the Chief Plant Operator, Sewer District submitting Sewer Board resolution for award of bids for Belt Press Replacement Project. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 393 – A communication was received from the Director of Probation requesting contract for electronic monitoring program. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 394 – A communication was received from the Essex County Board of Supervisors advising of recently adopted resolution concerning Adirondack State Land Master Plan. Placed on file.

No. 395 – A communication was received from the Director of Real Property Tax Services submitting tax levies. Referred to the Committee on Ways and Means.

No. 396 – A communication was received from the Director of Real Property Tax Services submitting tabulation of town budgets. Referred to the Committee on Ways and Means.

No. 397 – A communication was received from the Director of Real Property Tax Services submitting warrants. Referred to the Committee on Ways and Means.

No. 398 – A communication was received from the Director of Real Property Tax Services submitting District Tax Rates. Ordered printed and filed.

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

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

For: Ayes (15). Against: None.

Absent: Hyde, Brezinski (2).

Consent Agenda:

- 294 HUMAN RES., WAYS & MEANS: Amending budget in connection with Immunization Action Plan
- 295 HUMAN RES., WAYS & MEANS: Authorizing contract renewal between Office for The Aging and Herkimer County Public Health Nursing Service

- 296 WAYS & MEANS: Authorizing contract with Adirondack Park Local Government Review Board
297 WAYS & MEANS: Authorizing contract with Mid-York Library System
298 WAYS & MEANS: Transferring funds

On motion of Mr. Shaw, seconded by Mr. Russell, Report and Resolution No. 299 of the Committee on Natural Resources and the Committee on Ways and Means adopting assessment roll of Herkimer County Sewer District was handed up; was voted on and adopted by roll call vote:

For: Luppino, Rose, Schrader, Wellington, Johnson, Stephens, Manno, Smith, Rose, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Manno, Report and Resolution No. 300 of the Committee on Ways and Means adopting 2015 County Budget was handed up; was voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Peplinski, seconded by Mr. Stephens, Report and Resolution No. 301 of the Committee on Ways and Means making appropriation for conduct of county government was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 302 of the Committee on Human Resources and the Committee on Ways and Means authorizing contracts for services under Caregiver Support Program was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 303 of the Committee on Human Resources and the Committee on Ways and Means awarding bid for provision of meals for Office for the Aging was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 304 of the Committee on Human Resources and the Committee on Ways and Means authorizing contract with Community Transportation Services was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 305 of the Committee on Human Resources and the Committee on Ways and Means concerning services in connection with Expanded In Home Services for the Elderly Program was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Weakley, seconded by Mr. Luppino, Report and Resolution No. 306 of the Committee on Ways and Means adopting Equalization Table was handed up; was voted on and adopted by roll call vote:

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

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 307 of the Committee on Ways and Means adopting Forms and Footings was handed up; was voted on and adopted by roll call vote:

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

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Shaw, seconded by Mr. Stephens , Report and Resolution No. 308 of the Committee on Natural Resources and the Committee on Ways and Means awarding bids for Belt Press Replacement Project for the Herkimer County Sewer District was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Peplinski, seconded by Mr. Schrader, Report and Resolution No. 309 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing contract in connection with electronic monitoring program was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: Schrader Absent: Hyde, Brezinski (2).

On motion of Mr. Smith, seconded by Mr. Luppino, Report and Resolution No. 310 of the Committee on Ways and Means and the Committee on Human Resources increasing payment to contractors of Mental Health Services was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None Absent: Hyde, Brezinski (2).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 311 of the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 183 of 2014 authorizing agreement for electronic medical records system for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 312 of the Committee on Ways and Means authorizing cancellation of contract with the Town of Salisbury for data collection services was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No. 313 of the Committee on Ways and Means levying taxes for the year 2015 was handed up; was voted on and adopted by roll call vote:

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

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Stephens, seconded by Mr. Peplinski, Report and Resolution No. 314 of the Committee on Ways and Means relevying unpaid school, village and city taxes was handed up; discussion was held; was voted on and adopted by roll call vote:

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

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Shaw, seconded by Mr. Wellington, Report and Resolution No. 315 of the Committee on Natural Resources and the Committee on Ways and Means awarding bid for chemical at Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Luppino, seconded by Mr. Russell, Report and Resolution No. 316 of the Committee on Ways and Means authorizing contracts with non-profit organizations for the year 2015 was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 317 of the Committee on Ways and Means authorizing insurance coverages was handed up; vote on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Weakley, seconded by Mr. Peplinski, Report and Resolution No. 318 of the Committee on Highways authorizing Chairman of Legislature to execute all necessary agreements, certifications and documentation with the State DOT with respect to costs incurred

due to emergency highway repairs from flooding event of June and July 2013 was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Stephens, seconded by Mr. Korce, Report and Resolution No. 319 of the Committee on Highways approving projects under Article 6, Section 116 of Highway Law was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 320 of the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 32 of 2014 authorizing contracts for Herkimer County Mental Health Services was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Shaw, seconded by Mr. Luppino, Report and Resolution No. 321 of the Committee on Human Resource, the Committee on Administration/Veterans Affairs and the Committee on Ways and Means concerning expenditures for the indigent and deceased veterans was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 322 of the Committee on Ways and Means levying taxes and assessments required for the purposes of annual budgets of the Towns of the County of Herkimer was handed up; was voted on and adopted by roll call vote:

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

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Peplinski, seconded by Mr. Weakley, Report and Resolution No. 323 of the Committee on Ways and Means and the Committee on Highways amending 2014 Budget

in connection with additional state snow removal costs was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No. 324 of the Committee on Ways and Means appropriating funds was handed up; was voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 325 of the Committee on Ways and Means adjusting wages for hourly employees was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 326 of the Committee on Human Resources and the Committee on Ways and Means authorizing staffing change in Public Health Nursing Services was handed up; voted on and adopted by roll call vote:

For: Luppino, Rose, Schrader, Wellington, Johnson, Stephens, Manno, Smith, Rose, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent; Hyde, Brezinski (2).

On motion of Mr. Peplinski, seconded by Mr. Russell, Resolution No. 327 of the Committee on Ways and Means levying consolidated health taxes was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mrs. Rose, seconded by Mr. Johnson, Report and Resolution No. 328 of the Committee on Administration/Veterans Affairs making appointment of Commissioner of Elections was handed up; discussion was held; voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

Mrs. Shepherd expressed her appreciation for the appointment.

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 329 of the Committee on Administration/Veterans' Affairs making appointment of Commissioner of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: Korce (1) Absent: Hyde, Brezinski (2).

Mr. Christie expressed his appreciation for the appointment.

On motion of Mr. Russell, seconded by Mr. Luppino, Resolution No. 330 of the Committee on Ways and Means authorizing attendance at conferences for municipal offices and employees during the year 2015 was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Weakley, seconded by Mr. Schrader, Resolution No. 331 of the Committee on Ways and Means authorizing payment of dues for municipal officers and employees during the year 2015 was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Peplinski, seconded by Mr. Stephens, Resolution No. 332 amending Resolution No. 188 of 2014 approving standard workday and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

For: all ayes (15).

Against: None. Absent: Hyde, Brezinski (2).

On motion of Mr. Ackerman, seconded by Mr. Peplinski, Resolution No. 333 approving Tax Warrants was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Korce, seconded by Mr. Manno, Resolution No. 334 approving minutes for 2014 was handed up; voted on and adopted by voice vote.

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

On motion of Mr. Stephens, seconded by Mr. Johnson, Resolution No. 335 approving Chairman's and Clerk's Certificate was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

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

At 8:04 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, January 7, 2015 at 2:00 p.m.