

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
Second Quarter – Third Day
Wednesday, May 20, 2015
7:30 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 Lt. John Wood of the Salvation Army, 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, Rose, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Absent: None.

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 22, 2015. 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. There were no requests.

No. 137 – A communication was received from the Capital District OTB submitting financial reports for January, February and March. Placed on file.

No. 138 – A communication was received from the Capital District OTB submitting financial statements for the years ended December 31, 2014 and 2013. Placed on file.

No. 139 – A communication was received from Senator Seward in reference to the County's concerns regarding mental health services. Placed on file.

No. 140 – A communication was received from Cornell Cooperative Extension submitting January, February and March program highlights. Placed on file.

No. 141 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting minutes and recently adopted resolutions. Placed on file.

No. 142 – A communication was received from the STOP-DWI Coordinator recommending membership reappointments and appointments. Referred to the Committee on Public Safety and Emergency Management.

No. 143 – A communication was received from the Budget Officer submitting request for budget amendment in connection with Youth Violence Prevention Program. Referred to the Committee on Ways and Means.

No. 144 – A communication was received from the Budget Officer submitting request for budget amendment in connection with Homeland Security Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 145 – A communication was received from the Director of Public Health requesting membership changes for Health Services Advisory Board. Referred to the Committee on Human Resources.

No. 146 – A communication was received from the Director of Public Health requesting membership changes for Professional Services Advisory Board. Referred to the Committee on Human Resources.

No. 147 – A communication was received from the Commissioner of Social Services requesting agreement for provision of services for Long Term Care Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 148 – A communication was received from the County Highway Superintendent requesting approval for Capital Construction Project. Referred to the Committee on Highways.

No. 149 – A communication was received from the Director of the Office for the Aging requesting amendment of contract for provision of respite services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 150 – A communication is received from the Director of the Office for Aging requesting acceptance of funding and contract in connection with MIPPA/ADRC. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 151 – A communication was received from the Budget Officer requesting budget amendment in connection with MIPPA/ADRC funding. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 152 – A communication was received from the Director of the Office for the Aging requesting application to receive funding through Balance Incentive (BIP) – Caregiver Support Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 153 – A communication was received from the Director of the Office for the Aging requesting application to receive State DOT 5310 funding for purchase of new handicapped accessible van. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 154 – A communication was received from the Budget Officer submitting request for transfer of funds. Referred to the Committee on Ways and Means.

No. 155 – A communication was received from the County Administrator requesting change in part-time Salary Schedule. Referred to the Committee on Ways and Means.

No. 156 – A communication is received from the Recording Officer and County Treasurer submitting Semi-Annual Mortgage Tax Apportionment. Referred to the Committee on Ways and Means.

No. 157 – A communication was received from the Budget Officer submitting request for transfer of funds concerning deductible expense. Referred to the Committee on Ways and Means.

No. 158 – A communication was received from the County Administrator requesting authorization to prepare and file, along with the Budget Officer, the Government Efficiency Plan for Herkimer County. Referred to the Committee on Ways and Means.

No. 159 – A communication was received from the Soil and Water Conservation District submitting minutes of 4-7-15. Placed on file.

No. 160 - A communication was received from the Budget Officer submitting request for budget amendment in connection with receipt of additional CHIPS funds for 2015. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 161 – A communication was received from the Chairman of the Legislature appointing John Stephens to the Herkimer County Humane Society Board of Directors. Referred to the Committee on Natural Resources.

No. 162 – A communication was received from the Budget Officer submitting request for appropriation in connection with Upstate New York Revitalization Competition. Referred to the Committee on Ways and Means.

No. 163 – A communication was received from the Budget Officer submitting recommendation for award of bid for shuttle bus service for Old Forge area. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 164 – A communication was received from the State Records and Law Bureau confirming receipt and filing of Local Law No. 2 of 2015 on 4/10/15. Placed on file.

Pursuant to Rule 6, Chairman Bono proceeded with Reports of Standing Committees. Raymond Smith, Chairman of the Human Resources Committee, stated that the April 24, 2015 Human Resources Committee meeting, presentations were made by several outside agencies and county departments which were very informative. He thanked those who made the presentations, and encouraged more legislators to try and attend these sessions. Chairman Bono stated possibly they could reschedule the presentations again on a legislature meeting night.

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

Consent Agenda:

- 115 HUMAN RES.: Concerning membership on Health Advisory Board
- 116 HUMAN RES.: Concerning membership on Professional Services Advisory Board
- 117 WAYS & MEANS: Amending Budget in connection with funding for Youth Violence Prevention Program
- 118 PUB. SFTY./EMER. MGMT.: As Regards Membership on the STOP-DWI Advisory Board

Chairman Bono then continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 119 sponsored by 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, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 120 sponsored by the Committee on Ways and the Committee on Highways amending budget in connection with additional CHIPS funds for 2015 was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Weakley, seconded by Mr. Luppino, Report and Resolution No. 121 of sponsored by the Committee on Highways approving project under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 122 sponsored by the Committee on Ways and Means authorizing transfers of funds was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 123 sponsored by the Committee on Ways and amending Resolution No. 325 of 2014 adjusting wages for hourly employees was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Luppino, Rose, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Luppino, seconded by Mr. Schrader, Report and Resolution No. 124 sponsored by the Committee on Natural Resources confirming appointment to the Herkimer County Humane Society Board of Directors was handed up; Chairman Bono thanked Legislator Stephens for accepting this appointment and expressed appreciation to Legislator Korce for his many years of dedicated service to the Humane Society. The resolution was voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Abstain: Stephens (1).

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Hyde, Report and Resolution No. 125 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with receipt of 2012 Homeland Security Funding was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 126 authorizing agreement for services for the Department of Social Services Long Term Care Program was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 127 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 302 of 2014 authorizing contract for services under Caregiver Support Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 128 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing application for NYSDOT 5310 funding to purchase handicapped accessible van for Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 129 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing application for funding in connection with Balance Incentive Program – Caregiver Support Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 130 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contract renewal for Office for Aging for MIPPA/ADRC Funding and amending 2015 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Russell, Report and Resolution No. 131 sponsored by the Committee on Ways and Means authorizing filing of government efficiency

plan for Herkimer County was handed up; discussion was held; was voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Johnson, seconded by Mr. Ackerman and Mr. Brezinski, Report and Resolution No. 132 sponsored by the Committee on Ways and Means appropriating funds from Contingency Fund in connection with Upstate New York Revitalization Competition was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Luppino, Rose, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Luppino, seconded by Mr. Russell, Report and Resolution No. 133 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means awarding bid for bus service in connection with Herkimer County Rural Transit-Old Forge Circulator Pilot Shuttle Application was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Schrader, seconded by Mr. Johnson, Resolution No. 134 sponsored by the Committee on County Properties authorizing easement over parcel to Village of Herkimer was handed up; voted on and adopted by roll call vote:

For: Luppino, Rose, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Hyde, Resolution No. 135 sponsored by the Committee on Public Safety and Emergency Management submitting response to the New York State Comptroller Police Property Room Inventory of the Herkimer County Sheriff's Department was handed up; discussion was held. Mr. Shaw made a motion, seconded by Mr. Johnson, to move the question. The motion was approved by voice vote:

Ayes: (17).

Against: None.

Absent: None.

The resolution was voted on and approved by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Brezinski, seconded by Mr. Ackerman, Resolution No. 136 In Memoriam for Patrick A. Reardon, former County Legislator and Minority Leader, was handed up. Mr. Smith commented that when he was first elected to the Legislature, Mr. Reardon often called him to give him advice. Mr. Korce stated that he served with Mr. Reardon on the Legislature and fondly remembered his advice to maintain a balance in what you believe in on the floor, but when you leave the room, to always ask your fellow legislator about his family. Mrs. Rose stated that Mr. Reardon also contacted her when she was first elected and she appreciated his sound advice. Chairman Bono stated he was a gentleman and a great statesman.

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. Mrs. Rose stated that she felt it was important to have legislature meetings televised, that she and her husband would be willing to donate the cost to have the meetings televised again and requested that the committee address this issue. Mrs. Rose also stated that she would not be seeking re-election and that she has appreciated the opportunity to serve her community in this manner. Legislator Russell thanked Mrs. Rose for her service. Mr. Smith announced the Dolgeville Violet Festival dates of June 12th to the 14th and also invited legislators to the open house for the XNG gas plant on June 16th. Mr Manno requested all legislators sign the memorial resolution for Patrick A. Reardon.

At 8:03 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, June 17 at 7:30 p.m.