

**MINUTES**  
**Herkimer County Legislature**  
**Fourth Quarter – Fourth Day**  
**Wednesday, December 11, 2013**  
**7:30 p.m.**

**Public Hearing**

The Public Hearing on Introductory Local Law No. 1 was called to order at 7:00 p.m. by Patrick E. Russell, Chairman of the Committee on Ways and Means. The deputy clerk read the notice of the hearing. Chairman Russell asked if anyone wished to speak at the hearing. There were no appearances, and the hearing was declared closed at 7:07 p.m.

**LEGAL 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 13<sup>th</sup> day of November, 2013 Introductory Local Law No. 1 for the year 2013 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 11th day of December, 2013 at 7:00 p.m. at which time all persons interested will be heard.

Dated: November 27, 2013.

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 Legislator Leonard Hendrix 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: Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Absent: Hartman, Hyde, Brezinski (3).

At 7:35 p.m. Mr. Hartman was marked present on the roll.

Chairman Bono dispensed with the regular session to allow for a proclamation and called on Legislator Schrader. Mr. Schrader presented a proclamation to the Herkimer Magicians Football Team and coaching staff in recognition of their third consecutive Section III Championship.

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 13, 2013 and the public hearing on December 4, 2013. 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. 369 – A communication was received from the Sheriff submitting the monthly report for October. Referred to the Committee on Public Safety and Emergency Management.

No. 370 – A communication was received from the District advising of the line of succession of his office. Placed on file.

No. 371 – A communication was received from ProAct, Inc. submitting the Discount Prescription Card Report for October. Placed on file.

No. 372 – A communication was received from the Chairman of the Legislature advising of an appointment to the Office for the Aging Advisory Council. Referred to the Committee on Human Resources.

No. 373 – A communication was received from the State Commission of Correction approving extension of variance on jail. Placed on file.

No. 374 – A communication was received from the Employment & Training Director requesting approval for an office space permit lease. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 375 – A communication was received from the Sheriff requesting acceptance of a grant from the Thruway Authority. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 376 – A communication was received from the Real Property Tax Director requesting renewal of the contract with the Town of Columbia to provide assessment services. Referred to the Committee on Ways and Means.

No. 377 – A communication was received from the Real Property Tax Director requesting renewal of the contracts with the Towns of Winfield and Litchfield. Referred to the Committee on Ways and Means.

No. 378 – A communication was received from the Conservation Alliance advising of disbandonment. Placed on file.

No. 379 – A communication was received from Capital District OTB submitting financial reports for August and September. Placed on file.

No. 380 – A communication was received from the State Department of Taxation acknowledging receipt and filing of additional one and one quarter percent sales tax extension. Placed on file.

No. 381 – A communication was received from the State Public Service Commission advising of ruling on transmission line applications. Placed on file.

No. 382 – A communication was received from the Director of Emergency Services advising of receipt of Homeland Security Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 383 – A communication was received from the Director of Emergency Services advising of receipt of Homeland Security Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 384 – A communication was received from the District Attorney advising of receipt of Aid to Prosecution Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 385 – A communication was received from the Budget Officer submitting recommendation for award of bids for Meals on Wheels program. Referred to the Committees on Human Resources and Ways and Means.

No. 386 – A communication was received from the Director of Real Property Tax Services submitting request for Consolidated Health District tax levies for Towns of Frankfort, German Flatts and Winfield. Referred to the Committee on Ways and Means.

No. 387 – A communication was received from the County Treasurer submitting report of unpaid school and village taxes. Referred to the Committee on Ways and Means.

No. 388 – A communication was received from the County Attorney requesting amendment of resolution authorizing contract with City of Little Falls for provision of assessment services. Referred to the Committee on Ways and Means.

No. 389 – A communication was received from the Director of the Office for the Aging advising of the receipt of a Falls Prevention Grant. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 390 – A communication was received from the Commissioners of Elections requesting payment of additional election workers. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 391 – A communication was received from the Director of Public Health requesting agreement under the Education of Handicapped Children's Program. Referred to the Committees on Human Resources and Ways and Means.

No. 392 – A communication was received from the Director of the Office for the Aging requesting an agreement under Title IIID Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 393 – A communication was received from the Director of Public Health requesting establishment of temporary position. Referred to the Committees on Human Resources and Ways and Means.

No. 394 – A communication was received from the Soil and Water Conservation District submitting minutes of 11/13/13. Placed on file.

No. 395 – A communication was received from the County Auditor submitting report of corrected tax applications made for November. Placed on file.

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

No. 397 – A communication was received from the Director of Public health requesting termination of children with Special health Care Needs program contract. Referred to the Committees on Human Resources and Ways and Means.

No. 398 – A communication was received from the Director of Public Health requesting new contract with Kids Oneida, Inc. under the Healthy Families Grant. Referred to the Committees on Human Resources and Ways and Means.

No. 399 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 400 – A communication was received from the Budget Officer requesting closure of certain General Fund and Fund Balance Accounts and transfers of remaining balances. Referred to the Committee on Ways and Means.

No. 401 – A communication was received from the Budget Officer submitting request for consultant for Records Management Grant. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 402 – A communication was received from the Budget Officer submitting requests for transfer of funds for Soil and Water Conservation District. Referred to the Committee on Ways and Means.

No. 403 – A communication was received from the Director of Real Property Tax Services submitting Forms and Footings. Referred to the Committee on Ways and Means.

No. 404 – 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. 405 – A communication was received from the Director of Real Property Tax Services submitting tax levies and warrants. Referred to the Committee on Ways and Means.

No. 406 – A communication was received from the Director of Real Property Tax Services submitting District Tax Rates. Ordered printed and filed.

No. 407 – A communication was received from the Budget Officer submitting insurance coverages for 2014. Referred to the Committee on Ways and Means.

No. 408 – A communication was received from the Budget Officer submitting budget amendment in connection with receipt of Homeland Security Grant funds. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 409 – A communication was received from the Budget Officer submitting budget amendment in connection with Falls Prevention Grant for Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 410 – A communication was received from the County Administrator requesting amendment of Part-Time Salary Schedule. Referred to the Committee on Ways and Means.

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

On motion of Mr. Hendrix, seconded by Mr. Peplinski, the Consent Agenda was handed up; Mrs. Rose made a request to remove Resolutions No. 288 and No. 293 from the Consent Agenda. The Consent Agenda (excluding Resolutions No. 288 and 293) was then voted on and adopted by voice vote:

For: Ayes (15).      Against: None.

Absent: Hyde, Brezinski (2).

**Consent Agenda:**

- 289 HUMAN RES.: Confirming appointment to Office for Aging Advisory Bd.
- 290 WAYS & MEANS: Authorizing extension of contracts with Towns of Columbia, Litchfield and Winfield to provide assessment services
- 291 WAYS & MEANS: Authorizing contract with Adirondack Park Local Government Review Board for 2014
- 292 WAYS & MEANS: Authorizing contract with Mid-York Library System for year 2014
- 294 WAYS & MEANS: Transferring funds
- 295 PUB. SFTY./EMER. MGMT., WAYS & MEANS: In connection with receipt of Ignition Interlock Monitoring Device Grant
- 296 PUB. SFTY./EMER. MGMT., WAYS & MEANS: Accepting Grant from Div. of Criminal Justice Services for District Attorney's Office

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES CONFIRMING APPOINTMENT TO THE HERKIMER COUNTY OFFICE FOR AGING ADVISORY COUNCIL**

WHEREAS, the Chairman of the Herkimer County Legislature, by letter dated November 21, 2013, has made an appointment to fill a vacancy on the Office for Aging Advisory Council; now, therefore, be it

RESOLVED, that the following appointment to the Office for the Aging Advisory Council be, and hereby is ratified and confirmed:

**Appointment:**

**For term of 12/2013-10/2016:**

**Mr. Bruce Lyon**  
36 West State Street  
Dolgeville, NY 13329

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of the Herkimer County Office for the Aging and Bruce Lyon.

Dated: December 11, 2013.

RAYMOND SMITH  
FREDERICK J. SHAW  
JEAN E. MANEEN  
LEONARD R. HENDRIX  
PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING EXTENSION OF CONTRACTS WITH THE TOWNS OF COLUMBIA, LITCHFIELD AND WINFIELD TO PROVIDE ASSESSMENT SERVICES**

WHEREAS, this Legislature has authorized by resolution, contracts with certain towns of the County, whereby the County would provide assessment services to the towns for the sum of \$15.00 for each parcel on the final assessment roll of the town; and

WHEREAS, by letters dated November 25, 2013, Beth Sadlon, Director of the Real Property Tax Service Agency, has requested approval of renewal of the contracts to provide assessment services to the Towns of Columbia, Litchfield and Winfield; and

WHEREAS, it is the opinion of your Committee that it is to the mutual benefit of the County of Herkimer and the aforesaid towns for the County of Herkimer to continue to provide said assessment services to said towns; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into extensions of the agreements to provide assessment services to the Towns of Columbia, Litchfield and Winfield for the period from December 31, 2013 to December 31, 2014, with the final form of said agreements to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Real Property Tax Services and the Towns of Columbia, Litchfield and Winfield.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

No. 291

**REPORT AND RESOLUTION OF THE COMMITTEE ON COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD**

WHEREAS, the Adirondack Park Local Government Review Board is charged with the duty of advising and assisting the Adirondack Park Agency in carrying out its functions, powers and duties; and

WHEREAS, pursuant to Section 803-a of the Executive Law of the State of New York, Herkimer County is entitled to one member on said Review Board; and

WHEREAS, said Review Board is partially funded by the State of New York, and is funded by the member counties which are wholly or partly within the Adirondack Park; now, therefore, be it

RESOLVED, that pursuant to Section 803-a of the Executive Law of the State of New York, the County of Herkimer enter into a contract with the Adirondack Park Local Government Review Board in the sum of \$3,650.00 for the purpose of supporting its operations for the year 2014; and, be it further

RESOLVED, that said contract requires that the Adirondack Park Local Government Review Board render to this Legislature a verified account of the disbursements of said grant with verified or certified vouchers attached thereto, with the provision that a refund be made to the County of Herkimer of any amount of said funds which may remain unused by the Adirondack Park Local Government Review Board on December 31, 2014; and, be it further

RESOLVED, that before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of the Adirondack Park Local Government Review Board agreeing to comply with the terms of this Resolution; and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized and empowered to execute the said contract with the Adirondack Park Local Government Review Board agreeing to comply with the terms of this Resolution; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Adirondack Park Local Government Review Board.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI

KURT J. ACKERMAN  
Committee on Ways and Means

No. 292

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
AUTHORIZING CONTRACT WITH MID-YORK LIBRARY SYSTEM FOR THE YEAR 2014**

WHEREAS, Mid York Library System of Utica, New York, operates a cooperative library system approved by the Commissioner of Education and includes among its member libraries the public libraries of Herkimer County; and

WHEREAS, this Legislature is authorized by law to provide support for cooperative library systems and public libraries operating within the County of Herkimer; now, therefore, be it

RESOLVED, that pursuant to Section 255 and 256 of the Education Law of the State of New York, the County of Herkimer enter into a contract with Mid-York Library System for the purpose of supporting the operating of Mid-York Library System for the year 2014 within the County of Herkimer and member public libraries of said system within the County of Herkimer, in the sum of \$64,489.00; and, be it further

RESOLVED, that said contract further provides that the sum of \$17,125.00 be paid to Mid-York Library System to support its operation within the County of Herkimer and that the balance of said \$64,489.00 be distributed among the member public libraries within the County of Herkimer as follows:

Library	2014 Funding	
Dolgeville-Manheim	\$2,877.00	
Middleville	1,591.00	
Newport	1,591.00	
Old Forge	1,591.00	
Poland	1,591.00	
Basloe (Herkimer)	8,719.00	
Frankfort	4,101.00	
Kirby (Salisbury)	1,591.00	
Jordanville	1,591.00	
Little Falls	7,366.00	
West Winfield	1,591.00	
Weller (Mohawk)	3,574.00	
Ilion	9,590.00	
<b>Total</b>		<b>\$47,364.00</b>

and, be it further

RESOLVED, that said Mid-York Library System render to this Legislature a verified account of the disbursement of said grant with verified or certified vouchers thereto attached and that said Mid-York Library System refund to the County of Herkimer any amount of the said funds which may remain unused by Mid-York Library System or by its member public libraries on December 31, 2014; and, be it further

RESOLVED, that before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of Mid-York Library System agreeing to comply with the terms of this Resolution; and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized and empowered to execute the said contract with Mid-York Library System on behalf of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Mid-York Library System.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI

KURT J. ACKERMAN  
Committee on Ways and Means

\$11,000	From: A6011-10000-001 SNAP, Salaries To: A6012.10000-001 Managed Care, Salaries
\$12,000	From: A6011.10000-001 SNAP, Salaries To: A6031.10000-001, Public Home Residents, Salaries
\$6,500	From: A6010.46200 Soc. Serv. Admin., Auto Expense To: A6010.23000 Soc. Serv. Admin., Motor Vehicles
\$6,500	From: A6141.10000-001 HEAP, Salaries To: A6010.23000 Soc. Serv. Admin., Motor Vehicles
\$12,400	From: A3140.10000-001 Probation, Salaries To: A1355.10000-001 Real Property Tax Services, Salaries
\$2,600	From: A1410.10000-001 County Clerk, Salaries To: A1340.10000-001 Budget & Purchasing, Salaries
\$9,000	From: A3020.10000-001 Public Safety, Salaries To: A3021.10000-001 Public Safety Comms., Salaries
\$7,000	From: A1165.10000-001 District Attorney, Salaries To: A3110.10100 Sheriff, Salaries
\$11,200	From: A1165.10000-001 District Attorney, Salaries To: A3150.10000-001 Jail, Salaries
\$9,000	From: A3150.43000 Jail, Insurance To: A3150.10000-001 Jail, Salaries
\$20,000	From: A3140.10000-001 Probation, Salaries To: A3150.10000-001 Jail, Salaries
\$10,000	From: A3140.10000-001 Probation, Salaries To: A3021.10000-001 Public Safety Comm., Salaries
\$6,000	From: A4059.10000-001 Early Intervention, Salaries To: A4010.10000-001 Public Health, Salaries
\$2,400	From: A2960.44000 Ed. Of Handicapped Child., Cont. Serv. To: A2960.10000-001 Ed. Of Handicapped Child., Salaries
\$7,000	From: A1410.10000-001 Co. Clerk, Salaries To: A3021.10000-001 Public Safety Comm., Salaries
\$2,500	From: A7320.10100 Summer Youth Emp., Temp. Emp. To: A7310.10000-001 Youth Bureau, Salaries
\$4,000	From: A1620.10100 Co. Bldgs., Temp. Employees To: A3021.10000-001 Public Safety Comm., Salaries
\$210,000	From: A2960.44000 Ed. Of Handicapped Child., Cont. Serv. To: A3170.44000 Correctional Inst., Cont. Serv.
\$1,500	From: A1450.41000 Board of Elections, Supplies To: A1450.10000-001 Board of Elections, Salaries
\$300	From: A3111.41000 Sheriff's Boat Patrol, Supplies To: A3111.25000 Sheriff's Boat Patrol, Office Equipment
\$500	From: A3111.41000-250 Sheriff's Boat Patrol, Uniforms To: A3111.25000 Sheriff's Boat Patrol, Other Equipment
\$650	From: A3111.46200 Sheriff's Boat Patrol, Auto Expense To: A3111.25000 Sheriff's Boat Patrol, Other Equipment

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS IN CONNECTION WITH RECEIPT OF IGNITION INTERLOCK MONITORING DEVICE GRANT**

WHEREAS, by Resolution No. 317 adopted on December 14, 2011, and pursuant to the provisions of Leandra's Law, an Ignition Interlock Monitoring Program was established in Herkimer County through a grant received from the New York State Division of Criminal Justice Services and renewed by Resolution No. 49 of 2013 through September 30, 2013; and

WHEREAS, by letter dated November 22, 2013, from Garry E. Murphy, Director of Probation, this Legislature is advised of the request for acceptance of a grant from the State Division of Criminal Justice Services, in the amount of \$11,461.00 for said Program, for the period from October 1, 2013 through September 30, 2014; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by e-signature a contract with the New York State Division of Criminal Justices to receive an Ignition Interlock Device Monitoring Project Grant in the amount of \$11,461.00 for the period from October 1, 2013 through September 30, 2014, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Probation and the State Division of Criminal Justice Services.

Dated: December 11, 2013.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
**Committee on Public Safety and  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT ACKERMAN  
**Committee on Ways and Means**

No. 296

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS ACCEPTING GRANT FROM DIVISION OF CRIMINAL JUSTICE SERVICES FOR HERKIMER COUNTY DISTRICT ATTORNEY'S OFFICE**

WHEREAS, by letter dated November 7, 2013 from the Herkimer County District Attorney's Office, this Legislature is advised of the receipt of an Aid to Prosecution Grant from the New York State Division of Criminal Justice Services, said grant to be used by the Herkimer County District Attorney's Office to expedite the processing of repeat violent and serious felony offenders; and

WHEREAS, said grant award is in the amount of \$29,200.00, with no local match required and shall be effective for the term April 1, 2013 to March 31, 2014 now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a grant agreement on behalf of the County of Herkimer with the New York State

Division of Criminal Justice Services for the receipt by Herkimer County of an Aid to Prosecution Grant in the amount of \$29,200.00 for the period from April 1, 2013 to March 31, 2014; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby further authorized to execute any necessary documents and e-sign the contract for funding in connection with the receipt of additional grant funds; and, be it further

RESOLVED, that said program shall continue so long as 100% NYS funding is available; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and District Attorney.

Dated: December 11, 2013.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Hendrix, seconded by Mr. Ackerman, Report and Resolution No. 288 of the Committee on Public Safety and Emergency Management approving monthly report of Sheriff was handed up; discussion was held; request for a roll call vote was made by Mrs. Rose; was voted on and adopted by roll call vote:

For: Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: Hartman, Rose (2).

Absent: Hyde, Brezinski (2).

No. 288

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT APPROVING MONTHLY REPORT OF SHERIFF**

WHEREAS, your Public Safety & Emergency Management Committee, to which was referred the report of the Sheriff for the month of October, 2013, respectfully reports that we have examined said report, recommend that it be approved and offer the following Resolution:

RESOLVED, that the report of the Herkimer County Sheriff for the month of October, 2013, which report reflects an average daily population of 89.03 inmates, with an average of 58.84 inmates being boarded out in October, be approved and filed.

Dated: December 11, 2013.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
**Committee on Public Safety and  
Emergency Management**

On motion of Mr. Shaw, seconded by Mr. Russell, Report and Resolution No. 293 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing office space permit agreement with Bassett Medical Center was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).      Against: None.

Absent: Hyde, Brezinski (2).

No. 293

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING OFFICE SPACE PERMIT AGREEMENT WITH THE MARY IMOGENE BASSETT HOSPITAL d/b/a BASSETT MEDICAL CENTER AT THE WORKING SOLUTIONS CAREER CENTER**

WHEREAS, by letter dated November 18, 2013 from Karin Zipko, Director of Employment and Training, your Committee has been advised of a request to enter into an office space permit agreement with The Mary Imogene Bassett Hospital d/b/a Bassett Medical Center for use of office space at the Working Solutions One Stop Center located at 320 North Prospect Street, Herkimer, New York; and

WHEREAS, said agreement would be for a term of one year commencing November 1, 2013 through October 31, 2014 and would provide a cubicle of office space in the Working Solutions One Stop Center for use by The Mary Imogene Bassett Hospital d/b/a Bassett Medical Center or the purpose of assisting and serving its customers, with payment to the County to be in the amount of \$7,000 annually; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an Office Space Permit Agreement on behalf of the County of Herkimer The Mary Imogene Bassett Hospital d/b/a Bassett Medical Center, containing the above terms and conditions, with further terms and conditions subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals of said office space permit agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Employment and Training and the Mary Imogene Bassett Hospital d/b/a Bassett Medical Center.

Dated: December 11, 2013.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
PATRICK E. RUSSELL  
FREDERICK J. SHAW, JR.  
KURT J. ACKERMAN  
RAYMOND JOHNSON  
**Committee on County Planning  
and Development**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

Chairman Bono then welcomed several high school students and asked them to stand and introduce themselves and the school they were from and County Attorney Malone explained the procedure for voice and roll call votes.

On motion of Mr. Weakley, seconded by Mr. Russell, Report and Resolution No. 297 of the Committee on Ways and Means adopting Introductory Local Law No. 1 for 2013 was handed up; voted on and adopted by roll call vote:

For: Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Against: Hartman (1).

Absent: Hyde, Brezinski (2).

No. 297

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
ADOPTING INTRODUCTORY LOCAL LAW NO. 1 FOR 2013**

Your Committee on Ways and Means of the Herkimer County Legislature desire to report that on the 11<sup>th</sup> day of December, 2013, pursuant to Resolution No. 285, they held a public hearing on the adoption of Introductory Local Law No. 1 for 2013 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." and that there were no appearances and no objections at the said public hearing; that your Committee advises the adoption and enactment of said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law No. 1 for 2013 be adopted in form attached hereto.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
Committee on Ways and Means

**INTRODUCTORY LOCAL LAW NO. 1 - 2013**

**LOCAL LAW NO. - 2014**

**A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE**

BE IT ENACTED by the Herkimer County Legislature of the County of Herkimer as follows:

Section 1. The base annual salary of the County Sheriff shall be the sum of Sixty Three Thousand Two Hundred Eighty-Six Dollars (\$63,286).

Section 2. The base annual salary of the County Highway Superintendent shall be the sum of Ninety Thousand Eight Hundred Sixty-Four Dollars (\$90,864).

Section 3. The base annual salary of the County Administrator shall be the sum of Ninety Six Thousand Six Hundred Sixty-One Dollars (\$96,661).

Section 4. The base annual salary of the Commissioner of Social Services shall be the sum of Seventy Nine Thousand Seven Hundred Six Dollars (\$79,706).

Section 5. The base annual salary of the Commissioners of Elections shall be the sum of Forty Two Thousand Three Hundred Eight Dollars (\$42,308).

Section 6. The base annual salary of the Director of Real Property Tax Services shall be the sum of Forty Nine Thousand Six Hundred Fifty-Four Dollars (\$49,654).

Section 7. The base annual salary of the Personnel Officer shall be the sum of Sixty Eight Thousand Three Hundred Seventy-Nine Dollars (\$68,379).

Section 8. The base annual salary of the County Clerk shall be the sum of Fifty Seven Thousand Six Hundred Sixty Dollars (\$57,660).

Section 9. The base annual salary of the County Treasurer shall be the sum of Fifty Four Thousand Five Hundred Fifty-Three Dollars (\$54,553).

Section 10. The salary of the county coroners shall be One Hundred Twenty Dollars (\$120.00) per call.

Section 11. This Local Law shall take effect forty-five days after its adoption and shall be subject to a permissive referendum.

Dated: December 11, 2013.

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 298 of the Committee on Ways and Means adopting the 2014 County Budget was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: Hartman, Rose (2).

Absent: Hyde, Brezinski (2).

No. 298

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
ADOPTING 2014 BUDGET**

WHEREAS, the tentative budget for the year 2014 for the County of Herkimer has been duly presented to the County Legislature by the Budget Officer, and a duly advertised public hearing has been held thereon; now, therefore, be it

RESOLVED, that pursuant to Section 360 of the County Law, the tentative budget be, and hereby is, adopted as the Budget of the County of Herkimer for the year 2014.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 299 of the Committee on Ways and Means making appropriation for the conduct of county government for 2014 was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 299

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
MAKING APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT  
FOR THE FISCAL YEAR 2014**

WHEREAS, the County Legislature of the County of Herkimer, by Resolution dated December 11, 2013, has adopted the Budget for fiscal year 2014; now, therefore, be it

RESOLVED, pursuant to Section 360 of the County Law, that the several amounts specified in such budget in the Column entitled "Adopted" be, and hereby are, appropriated for the objects and purposes specified effective January 1, 2014.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Hendrix, seconded by Mr. Weakley Resolution No. 300 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with the receipt of Homeland Security Funding was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 300

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND  
EMERGENCY MANAGEMENT AND THE COMMITTEE WAYS AND MEANS IN  
CONNECTION WITH RECEIPT OF HOMELAND SECURITY FUNDING**

WHEREAS, by letter dated December 2, 2013, from Robert Vandawalker, Director of Emergency Services, this Legislature is advised of the receipt of an FY 2013 Homeland Security SHSP Grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$52,500.00; and

WHEREAS, said SHSP funding is offered through the U.S. Office of Homeland Security and administered by the New York State Division of Homeland Security and Emergency Services and will be used to provide the Communications Center with new Emergency Medical Dispatch Software, with remaining funds to be used in conjunction with the Round 3 Interoperable Communications Grant, if awarded; and

WHEREAS, by letter dated December 5, 2013 the Budget Officer has advised that it is necessary to amend the 2013 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature a contract with the New York State Division of Homeland Security and Emergency Services to receive an FY2013 Homeland Security SHSP Grant for Herkimer County in the amount of \$52,500.00; and, be it further

RESOLVED, that the 2013 Herkimer County Budget is hereby amended as follows:

Revenue:

A3020A.3389G	Em. Mgmt., Homeland Sec. Gr.	From: \$0
		To: \$52,500

Appropriation

A3020A.22000	Em. Mgmt. Homeland Sec., Comp. Equip.	From: \$85,130.86
		To: \$137,630.86

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Director of Emergency Services.

Dated: December 11, 2013.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
**Committee on Public Safety and  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 301 of the Committee on Ways and Means relevying unpaid school, village and city taxes was handed up; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

**No. 301**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
RELEVYING UNPAID SCHOOL, VILLAGE AND CITY TAXES**

Your Committee on Ways and Means, to which was referred the report of the Herkimer County Treasurer dated December 2, 2013 showing the amounts of taxes paid to the County Treasurer and the amount to be relevied as listed, namely \$4,776,618.22 of unpaid school taxes and \$1,569,681.12 of unpaid city and village taxes, respectfully reports that we have examined said report and recommend as follows:

RESOLVED, that the amounts of unpaid school taxes in the sum of \$ 4,776,618.22 with the addition of 7% and the amounts of unpaid city and village taxes in the sum of

\$1,569,681.12 with the addition of 7% be relieved upon and collected from the lands of the several towns and the City of Little Falls as herewith listed, upon which the same were originally imposed.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
VINCENT J. BONO  
BRUCE WEAKLEY  
JOHN J. PISECK, JR.  
BERNARD PEPLINSKI, SR.  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 302 of the Committee on Ways and Means Levying Taxes was handed up; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 302

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
LEVYING CONSOLIDATED HEALTH TAXES**

WHEREAS, by communication dated December 11, 2013 from the Director of Real Property Tax Services, your Committee on Ways and Means has been advised by the Supervisor of the Town of Frankfort of the need to raise the sum of Ten Thousand Dollars for the Consolidated Health District of the Town of Frankfort for the year 2014; and

WHEREAS, by said communication your Committee has been advised by the Supervisor of the Town of Winfield of the need to raise the sum of Eight Hundred Dollars for the Consolidated Health District of the Town of Winfield for the year 2014; and

WHEREAS, by said communication your Committee has been further advised by the Supervisor of the Town of German Flatts of the need to raise the sum of Two Thousand Dollars for the Consolidated Health District of the Town of German Flatts for the year 2014; now, therefore, be it

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the taxable property situated in the following named towns in the amounts indicated below:

Town of Frankfort	\$10,000.00
Town of Winfield	\$ 800.00
Town of German Flatts	\$ 2,000.00

and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized, empowered and directed to pay said consolidated health taxes, when paid to the County Treasurer, to the president of the health district of said towns; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Director of Real Property Tax Services, and Towns of Frankfort, German Flatts and Winfield.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE

RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Korce, Report and Resolution No. 303 of the Committee on Ways and Means adopting 2014 Equalization Table was handed up; was voted on and adopted by roll call vote:

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

Against: None.

Absent: Hyde, Brezinski (2).

No. 303

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
ADOPTING 2014 EQUALIZATION TABLE**

Your Committee on Ways and Means of the County Legislature of the County of Herkimer, pursuant to Section 804 of the Real Property Tax Law, submits the following ratio of assessed valuation to full valuation, as determined by the Legislature of Herkimer County on real property of the several tax districts of said County liable to the general levy of the tax shown by the tabulated statement herewith; that the tax rate on the County Budget as established is \$5.386655 per \$1,000.00 full value.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**(NOTE: See Equalization Table following minutes)**

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 304 of the Committee on Human Resources and the Committee on Ways and Means awarding contracts for Meals on Wheels for Dolgeville, Little Falls and Mohawk areas was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 304

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES  
AND WAYS AND MEANS AWARDING CONTRACTS FOR MEALS ON WHEELS  
FOR THE DOLGEVILLE, LITTLE FALLS AND MOHAWK AREAS**

WHEREAS, this Legislature is informed by communication dated December , 2013 from Bernard E. Decker, Budget Officer, that the Herkimer County Office for the Aging, through federal grants received and local sharing, has funds for the Meals on Wheels Programs and reports that the lowest bid price, including the cost of transportation and delivery, has been calculated by and provided by the Office for the Aging; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes a catering contract for the Meals on Wheels and Congregate Meals programs for the year 2014 with an option for a one year renewal contract with a cost of living increase, and with said contracts to contain a 60 day termination of contract provision:

<b>Area:</b>	<b>Number of meals:</b>	<b>Cost:</b>
<i>Dolgeville area:</i> Little Falls Motel Associates, Inc. (Knights Inn)	up to 50 meals/day	\$4.75/meal up to \$60,562 annually
<i>Little Falls area:</i> Little Falls Motel Associates, Inc. (Knights Inn)	up to 75 meals/day	\$4.75/meal up to \$90,843 annually
<i>Mohawk area:</i> Little Falls Motel Associates, Inc. (Knights Inn)	Up to 25 meals/day	\$4.75 meal up to \$30,281 annually

And, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contracts on behalf of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and the above listed agency.

Dated: December 11, 2013.

RAYMOND SMITH  
 FREDERICK J. SHAW, JR.  
 JEAN E. MANEEN  
 LEONARD R. HENDRIX  
 PATRICK E. RUSSELL  
 PETER F. MANNO  
**Committee on Human Resources**

PATRICK E. RUSSELL  
 DENNIS KORCE  
 RAYMOND SMITH  
 BRUCE WEAKLEY  
 BERNARD PEPLINSKI, SR.  
 KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 305 of the Committee on Human Resources and the Committee on Ways and Means amending budget in connection with grant for Office for the Aging was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 305

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AND THE COMMITTEE ON HUMAN RESOURCES AMENDING BUDGET IN CONNECTION WITH GRANT FOR OFFICE FOR THE AGING**

WHEREAS, by letter dated November 26, 2013, Kathy L. Fox, Director of the Office for the Aging, has advised this Legislature of the receipt, in conjunction with the Herkimer County HealthNet, of an award of a \$50,000 grant from the Community Foundation of Central and Western New York, which grant will be used to implement a Falls Prevention Program for individuals 60 and over in Herkimer County; and

WHEREAS, by letter dated December 5, 2013, the Budget Officer has requested the 2013 Herkimer County Budget be amended in connection with the receipt of funding under said Grant; now, therefore, be it



RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and Jill Turner.

Dated: December 11, 2013.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
JEAN E. MANEEN  
LEONARD R. HENDRIX  
PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mrs. Maneen, seconded by Mr. Johnson, Report and Resolution No. 307 of the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means amending Resolution No. 66 of 2013 authorizing payment amounts to election workers pursuant to the Help America Vote Act of 2002 was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 307

**REPORT AND RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS' AFFAIRS AND THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 66 OF 2013 AUTHORIZING PAYMENT AMOUNTS TO ELECTION WORKERS PURSUANT TO THE HELP AMERICA VOTE ACT OF 2002**

WHEREAS, by Resolution No. 66 adopted on March 20, 2013 payment amounts were established for election workers pursuant to the Help America Vote Act of 2002; and

WHEREAS, by letter dated November 22, 2013, the Commissioners of Elections have requested additional payments be made in the total amount of \$307.50 for workers who completed duties with regard to the 3% Audit and with unpacking election bags for the 2013 General Election; now, therefore, be it

RESOLVED, that Resolution No. 66 of 2013 is hereby amended to allow for the above additional payments to be made in the total amount of \$307.50, for election workers who completed duties with the regard to the 3% Audit and with unpacking election bags for the 2013 General Election; and, be it further

RESOLVED, that in all other respects, Resolution No. 66 of 2013 is hereby ratified and confirmed; and, be it further

RESOLVED, that certified copies of the Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budge Officer, Personnel Officer and Commissioners of Elections.

Dated: December 11, 2013.

JEAN E. MANEEN  
BRUCE WEAKLEY  
FREDERICK J. SHAW, JR.  
ROBERT N. HYDE  
PETER F. MANNO  
RAYMOND JOHNSON  
**Committee on Administration/  
Veterans' Affairs**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways & Means**

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 308 of the Committee on Ways and Means amending Resolution No. 287 authorizing contract with the City of Little Falls to provide assessment services to the City was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 308

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
AMENDING RESOLUTION NO. 287 AUTHORIZING CONTRACT WITH THE CITY  
OF LITTLE FALLS TO PROVIDE ASSESSMENT SERVICES TO THE CITY**

WHEREAS, by Resolution No. 287 adopted on November 13, 2013, this Legislature authorized an agreement to provide assessment services to the City of Little Falls for a period of four years, commencing December 1, 2013; and

WHEREAS, by letter dated November 26, 2013 from Robert J. Malone, Herkimer County Attorney, your Committee is advised that the resolution from the City of Little Falls is subject to a permissive referendum and requests said Resolution No. 287 be amended to change the start date; now, therefore, be it

RESOLVED, that Resolution No. 287 adopted on November 13, 2013 is hereby amended in the First Resolved Clause, to delete “commencing December 1, 2013”; and, be it further

RESOLVED, that in all other respects, said Resolution No. 287 of 2013 is hereby ratified and confirmed; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget officer, Director of Real Property Tax Services and the City of Little Falls.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Weakley, seconded by Mr. Hendrix, Report and Resolution No. 309 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means accepting grant from New York State Thruway/Canal Corporation for funding for Sheriff's Department was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 309

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS ACCEPTING GRANT FROM NEW YORK STATE THRUWAY/CANAL CORPORATION FOR FUNDING FOR SHERIFF'S DEPARTMENT**

WHEREAS, by letter dated October 21, 2013, from Christopher P. Farber, Sheriff, this Legislature is advised of the receipt of a grant from the New York State Thruway Authority/New York State Canal Corporation in the amount of up to \$40,000.00, which grant is a 75% state, 25% county matching grant for navigation patrol; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the New York State Thruway Authority/New York State Canal Corporation to receive up to \$40,000.00, which is a 75% state, 25% county matching grant for navigation patrol, and with said contract be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Sheriff.

Dated: December 11, 2013.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 310 of the Committee on Ways and Means authorizing termination of contract with Kids Oneida, Inc. and entry into a revised contract was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 310

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND WAYS AND MEANS AUTHORIZING TERMINATION OF CONTRACT WITH KIDS ONEIDA, INC. AND ENTRY INTO A REVISED CONTRACT**

WHEREAS, by letter dated December 4, 2013, from Christina Cain, Director of Public Health, this Legislature is advised of a request for approval to enter into a new contract with Kids Oneida, Inc. , 310 Main Street, Utica, New York, 13501, to implement the Herkimer County Healthy Families program; and

WHEREAS, by Resolution No. 205 dated September 11, 2013, a contract with Kids Oneida was authorized and entered into in the amount of up to a maximum of \$206,234 for the period from September 1, 2013 to August 31, 2014; and

WHEREAS, it has been agreed between the County of Herkimer and Kids Oneida that that contract will be replaced with a new contract whereby Kids Oneida would provide Herkimer County Healthy Families services for an estimated 80 to 100 families per year, with outcomes monitored and reported, with payment to be in the following amounts: (a) not to exceed \$189,622.67 for the period from January 1, 2014 through August 31, 2014, and (b) not to exceed \$284,434 annually from September 1, 2014 through August 31 of the following year, and for three additional one year periods, terminating on August 31, 2017, with the terms subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that payment to Kids Oneida shall continue through December 31, 2013 in accordance with the existing contract with Kids Oneida, Inc. entered into pursuant to Resolution No. 205 adopted on September 11, 2013, and that thereafter payment shall be made in accordance with the new contract; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health and Kids Oneida, Inc.

Dated: December 11, 2013.

RAYMOND SMITH  
FREDERICK J. SHAW  
JEAN E. MANEEN  
LEONARD R. HENDRIX  
PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Smith, seconded by Mrs. Maneen, Report and Resolution No. 311 of the Committee on Ways and Means and the Committee on Human Resources authorizing termination of the contract with State of New York for funding for Children with Special Health Care Needs Program was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 311

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING TERMINATION OF THE CONTRACT WITH THE STATE OF NEW YORK FOR FUNDING FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM**

WHEREAS, by letter dated November 26, 2013 from Christina Cain, Director of Public Health, request is being made for termination of the Children with Special Health Care Needs contract with the State of New York because the caseload supported by the grant which funds the program cannot be justified in light of the staff time and state mandates necessary for the functioning of the program; and

WHEREAS, that contract may be terminated at any time upon mutual written consent of the state and contractor; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a written consent with the State of New York for termination of the above described contract, which was most recently authorized by Resolution No. 301 dated December 14, 2011; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health and New York State Department of Health.

Dated: December 11, 2013.

RAYMOND SMITH  
FREDERICK J. SHAW  
JEAN E. MANEEN  
LEONARD R. HENDRIX  
PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

n motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 312 of the Committees on Ways and Means and Human Resources approving agreement for purchase of software for the Education of Handicapped Children's Program was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 312

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS APPROVING AGREEMENT FOR PURCHASE OF SOFTWARE FOR THE EDUCATION OF HANDICAPPED CHILDREN'S PROGRAM**

WHEREAS, by letter dated November 26, 2013, a request has been received from Christina Cain, Director of Public Health, for approval to enter into an agreement with James McGuinness & Associates, Inc. for the purchase of software to assist in managing the number of referrals and cases for the Education of Handicapped Children's Program; and

WHEREAS, the purchase price of the software is \$50,000 with a maximum annual maintenance support fee of \$7,600 effective January 1, 2014; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute an agreement with James McGuinness & Associates, Inc., 1482 Erie Boulevard,

Schenectady, New York 12305, for the purchase of software for the Public Health Nursing Service Education of Handicapped Children's Program, at a cost of \$50,000, with a maximum annual maintenance/support fee of \$7,600.00 effective January 1, 2014; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health and James McGuinness & Associates, Inc.

Dated: December 11, 2013.

RAYMOND SMITH  
FREDERICK J. SHAW  
JEAN E. MANEEN  
LEONARD R. HENDRIX  
PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 313 of the Committee on Human Resources and the Committee on Ways and Means for temporary staffing change in the Public Health Nursing Service was handed up; vote on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 313

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS FOR TEMPORARY STAFFING CHANGE IN THE PUBLIC HEALTH NURSING SERVICE**

WHEREAS, by letter dated November 22, 2013, Christina Cain, Director of Public Health, has requested the establishment of a temporary position of Community Health Nurse; and WHEREAS, your Committees have taken this matter under advisement and recommend said temporary change; now, therefore, be it

RESOLVED, that the 2014 Herkimer County Salary Schedule is hereby amended in Salary Schedule No. 3 to establish one temporary position of Community Health Nurse in Account A4010, Public Health; and, be it further

RESOLVED, that the foregoing change shall take effect January 1, 2014 through December 31, 2014; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Director of Public Health.

Dated: December 11, 2013.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
JEAN E. MANEEN

LEONARD R. HENDRIX  
PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 314 of the Committee on Ways and Means transferring funds was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 314

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
TRANSFERRING FUNDS FROM RESERVE ACCOUNTS**

WHEREAS, by letter dated December 5, 2013, the Herkimer County Budget Officer has advised this Legislature that there are General Fund Reserves and Fund Balance Accounts for completed Capital Projects which may be closed and the remaining balances transferred to other reserve accounts; now, therefore, be it

RESOLVED, that the following General Fund Reserves and Fund Balance Accounts be closed and the remaining balances transferred to the following accounts in the amounts listed:

<u>Project Account</u>	<u>Current Balance</u>	
NCOB and Parking Lot	A833	\$10,853.31
Solid Waste	A876	17,628.28
GIS	A878A	234.72
Office Bldg. Projects	A909C	667.46
Family Court Renovations	A909K	<u>28,280.59</u>
	Total:	\$57,664.36 plus any addt'l interest-to-date
<u>Accounts to be Credited</u>		
New Jail/Capital Project	A889E	19,989.14
Jail/Misc. Projects	A889Q	24,500.00
Co. Bldg. Misc. Projects	A889N	13,175.22 plus any addt'l interest-to-Date

RESOLVED, that the Herkimer County Treasurer is hereby authorized and empowered to transfer the said sums to the said accounts; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Sheriff.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI

KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mrs. Maneen, seconded by Mr. Ackerman, Report and Resolution No. 315 of the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means approving contract with consultant for Records Management Grant was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 315

**REPORT AND RESOLUTION OF THE COMMITTEE ON ADMINISTRATION  
/VETERANS AFFAIRS AND THE COMMITTEE ON WAYS AND MEANS  
APPROVING CONTRACT WITH CONSULTANT FOR RECORDS MANAGEMENT  
GRANT**

WHEREAS, by Resolution No. 224 of 2013, this Legislature accepted a Records Management Grant for a consultant in the amount of \$24,000; and

WHEREAS, by letter dated December 5, 2013, Bernard E. Decker, Budget Officer/Purchasing Agent has advised that Requests for Proposal were solicited prior to the application of grant; and

WHEREAS, authorization has been requested for the Chairman of the Legislature to enter into a contract for consulting services for a Disaster Preparedness Assessment with Access Systems, 4260 Henneberry Road, Manlius, NY 13104 in the amount of \$24,000 to be paid for with Records Management Grant funds; now therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to execute a contract with Access Systems, 4260 Henneberry Road, Manlius, NY 13104, in the amount of \$24,000, subject to the approval of the County Attorney; and, be it further

RESOLVED, that copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Clerk and Access Systems.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

JEAN E. MANEEN  
BRUCE WEAKLEY  
FREDERICK J. SHAW  
ROBERT N. HYDE  
PETER F. MANNO  
RAYMOND JOHNSON  
**Committee on Administration/Veterans' Affairs**

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 316 of the Committee on Ways and Means transferring funds for Soil and Water Conservation District was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 316

**REPORT AND RESOLUTION OF THE COMMITTEE ONWAYS & MEANS  
TRANSFERRING FUNDS FOR SOIL AND WATER CONSERVATION DISTRICT**

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated December 5, 2013, advising that sufficient funds are available to pay an additional \$32,000 to the Herkimer County Soil and Water Conservation District to allow the District to access additional State matching funds; and

WHEREAS, said letter further advises that the amount of \$32,000 will then be deducted from the authorized payment of \$144,816 which is budgeted for the year 2014; and

WHEREAS, your Committee reports that we have examined said communication, inquired into the subject matter thereof, recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts:

\$32,000.00	From: A2960.44000, Ed. Of Handicapped Children – Contracted Services
	To: A8730.44000, Soil and Water Conservation – Contracted Services

And, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Auditor, Treasurer, Budget Officer and Soil and Water Conservation District.

Dated: December 11, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 317 of the Committee on Ways and Means adopting Forms and Footings was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 317

#### **REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING FORMS AND FOOTINGS**

Your Committee on Ways and Means, to which was referred the communication dated December 2, 2013 from the Director of Real Property Tax Services, submitting tabulation of real property tax assessments taken from the 2013 assessment roll, does respectfully report that we have examined said communication, inquired into the subject matter thereof, recommend that the sums as shown by the footings contained in the several tax rolls be used as a basis for taxation, and therefore offer the following Resolution:

RESOLVED, that the tables of figures, as reported to your Committee on Ways and means, be used as a basis for taxation in the City of Little Falls and the several towns of the County of Herkimer for the year 2014 and that levy be made from the Committee on Ways and Means for the several districts.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**(NOTE: See Forms and Footings Table following minutes)**

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 318 of the Committee on Ways and Means levying taxes for 2014 was handed up; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

**No. 318**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
LEVYING TAXES FOR THE YEAR 2014**

WHEREAS, this County Legislature, by resolution duly adopted on December 11, 2013, has adopted the Budget for the fiscal year 2014, and by Resolution this date has made appropriations for the conduct of county government for the fiscal year 2014; now, therefore, be it

RESOLVED, that to meet the amount of said appropriations this County Legislature hereby levies taxes pursuant to the provisions of Section 360 of the County Law and Section 900 of the Real Property Tax Law upon the taxable property in the County of Herkimer upon the valuation as equalized by it heretofore in the sum set forth in the chart hereto attached.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**(NOTE: See Tax Levy Table following minutes)**

On motion of Mr. Russell, seconded by Mr. Smith, Resolution No. 319 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; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

**No. 319**

**REPORT AND RESOLUTION 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**

WHEREAS, there have been presented to this Legislature duly verified copies of the Annual Budgets of the several towns in the County of Herkimer for the fiscal year beginning January 1, 2014; now, therefore, be it

RESOLVED, that there shall be, and hereby is, assessed and levied upon, and there shall be collected from the taxable property situate in the Towns of the County, the amounts set forth as general townwide and highway townwide purposes, and in the named towns, outside of any incorporated village, wholly or partially located therein, the amount indicated for general outside village and highway outside village, and for consolidated health purposes, all as specified in the budgets for the respective towns as shown on the tabulation attached hereto; and, be it further

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable therefor with the respective light, fire/fire protection, water, refuse, sewer and health districts, in the following towns, as indicated on the attached pages, the following amounts for the purposes of such districts, as specified in the respective annual budgets and the tabulation attached hereto; and, be it further

RESOLVED, that such taxes and assessments when collected shall be paid to the supervisors of the several towns in the amounts shown by this Resolution and the tabulation attached hereto for distribution by them in the manner provided by law.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**(NOTE: Town Budgets Table following minutes)**

On motion of Mr. Russell, seconded by Mr. Smith, Resolution No. 320 of the Committee on Ways and Means authorizing insurance coverages was handed up; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 320

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
AUTHORIZING INSURANCE COVERAGES**

WHEREAS, this Legislature is informed by communication from Bernard E. Decker, Budget Officer and Purchasing Agent, dated December 6, 2013 of a request that certain policies for insurance coverages be approved for the year beginning December 9, 2013 through December 9, 2014, and that although individual premiums may vary up or down depending on items added or deleted, the totals for each Agency will not exceed the amount listed; and

WHEREAS, sufficient monies are available to cover said expense; and

WHEREAS, said coverages are recommended by the Committee on Ways and Means; now, therefore, be it

RESOLVED, that policies of insurance beginning December 9, 2013, are authorized by this Legislature as follows:

**NYMIR**  
**c/o Mang/NBT Insurance Agency**  
**56 North Main Street**  
**Gloversville, NY 12078**

<u>COVERAGE</u>	<u>PREMIUM</u>
Property	\$45,285.90
Inland Marine	18,272.10
Auto	53,687.70
General Liability	68,798.40
Law Enforcement Liability	30,578.90
Boiler & Machinery	10,006.70
Public Officials Liability	19,849.50
Excess Liability	43,155.20
OCP	275.00
Healthcare General & Professional Liability	21,098.26
Fire Fee	194.09
Motor Vehicle Fee	1,180.00
Crime Insurance	<u>4,689.30</u>
<b>NYMIR Total -</b>	<b>\$317,070.55</b>

And, be it further

RESOLVED, that additional policies of insurance, beginning December 9, 2013 are authorized by this Legislature with brokers as listed below as follows:

**Mang Insurance Agency**  
**56 North Main Street**  
**Gloversville, NY 12078**

<u>COVERAGE</u>	<u>PREMIUM</u>
Excess Employees Liability	\$ 7,199.00

And, be it further

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute any documents on behalf of the County of Herkimer in order to bind and purchase said insurance coverages; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Day, Mang Insurance Agency and the New York Municipal Insurance Reciprocal.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 321 of the Committee on Ways and means amending Resolution No. 280 of 2013 adjusting wages for hourly employees was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 321

**REPORT AND RESOLUTION OF THE OF THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 280 OF 2013 ADJUSTING WAGES FOR HOURLY EMPLOYEES**

WHEREAS, by Resolution No. 280 adopted on November 13, 2013 this Legislature established the wages of all employees of the County of Herkimer paid pursuant to the hourly scale for the year 2014; and

WHEREAS, by letter dated December 9, 2013, James W. Wallace, Jr., County Administrator, has requested the position of Part-Time Photocopy Machine be increased for the year 2014; now, therefore, be it

RESOLVED, that Resolution No. 280 of 2013 is hereby amended in the Second Resolved Clause to establish the salary for the following position for the year 2014:

<u>Title</u>	<u>2014 Rate</u>
Part-time Photocopy Machine Operator	\$13.72

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Personnel Officer.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Manno, seconded by Mrs. Maneen, Resolution No. 322 of the Committee on Education appointing trustee of Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent; Hyde, Brezinski (2).

No. 322

**RESOLUTION OF THE COMMITTEE ON EDUCATION APPOINTING TRUSTEE OF HERKIMER COUNTY COMMUNITY COLLEGE**

RESOLVED, that William M. Gregory, 226 First Ave., Frankfort, New York, be and he hereby is, appointed, pursuant to Section 6303 of the Education Law, as a member of the Herkimer County Community College Board of Trustees, to fill a vacancy presently existing on said Board, which term shall expire on the thirtieth day of June, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Chancellor of the State University of New York, the Vice Chancellor for Two Year Colleges, President of Herkimer County Community College and William M. Gregory.

Dated: December 11, 2013.

PETER F. MANNO  
LEONARD HENDRIX  
DENNIS KORCE  
JEAN E. MANEEN  
KURT J. ACKERMAN  
RAYMOND SMITH  
**Committee on Education**

Mr. Gregory expressed his appreciation for the opportunity to serve on the Board of Trustees.

On motion of Mr. Weakley, seconded by Mr. Russell, Resolution No. 323 of the Committee on Ways and Means authorizing attendance at conferences for municipal officers and employees during the year 2014 was handed up; voted on and adopted by voice vote:

For: All ayes(15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 323

**RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2014**

RESOLVED, that the following county officials and employees be, and they hereby are, authorized during the year 2014 to attend the following official and unofficial conventions and conferences of municipal officers which this Legislature believes to be for the benefit of the County of Herkimer, and that while in attendance at such conventions they will be reimbursed for the expenses actually and necessarily incurred for transportation and hotel expenses and expenses pertaining to said conventions, which amounts shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid.

**ADMINISTRATOR:** The Herkimer County Legislature hereby delegates the power to the Chairman of the Legislature to authorize the County Administrator to attend conventions, conferences and schools in accordance with Section 77-b of the General Municipal Law.

**AGING, OFFICE FOR - DIRECTOR:** Conferences and meetings called by the New York State Office for Aging and Point of Entry conferences and meetings. Also, the Nutrition Services Coordinator, Caseworker, Aging Services Assistant, WRAP Coordinator and Home Energy Assistance Examiners to attend all conferences and training sessions to be conducted by the New York State Office for Aging (approximately six). Nutrition Services Coordinator - meetings called by New York State Association of Nutrition and Aging Services Programs and the Aging Services Dieticians of NYS

**ATTORNEY AND ASSISTANT COUNTY ATTORNEYS:** New York State Association of Counties and New York State County Attorneys Association, Central New York Bankruptcy Bar Association Conference.

**BUDGET OFFICER AND PURCHASING AGENT:** New York State Association of Counties, Finance School, and Association of Budget Officers Meetings.

PERSONNEL OFFICER AND PERSONNEL ASSISTANT: New York State Association of Counties, New York State Association of County Personnel and Civil Services Officers, New York State Society for Human Resource Management.

CLERK AND DEPUTY CLERK OF COUNTY LEGISLATURE: New York State Association of Counties, New York State Association of Clerks of County Legislative Boards.

CORONERS: (Four coroners) NYSACCME

COUNTY CLERK AND DEPUTY COUNTY CLERK: County Clerks' Association Conference, New York State Association of Counties and County Clerks Association special meetings. RECORDS MANAGEMENT: NYALGRO Meetings

INFORMATION SERVICES: Data Processing Directors Conference

WEIGHTS AND MEASURES DIRECTOR: NYS Annual Weights and Measures Training, Weights and Measures Technical Training School and Semi-Annual NYS Central Group Conference and Training.

DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS: New York State District Attorneys Association. Victim Services Coordinator to attend conferences and seminars called by New York State Crime Victims Board.

ELECTIONS, COMMISSIONERS OF THE BOARD OF: New York State Election Commissioners Association, New York State Association of Counties, Annual Seminar of Election Commissioners. Also, one clerk to attend the Annual Seminar on an alternating basis.

EMPLOYMENT AND TRAINING ADMINISTRATION - DIRECTOR AND STAFF: Any meetings called by the United States Department of Labor, the New York State Department of Labor, the New York State Association of E.T.A. Administrators, National Association of County Officials, New York State Association of Training and Employment Professionals, conferences State, Federal and National for the Workforce Investment Act, and NYS Association of Counties.

YOUTH BUREAU - EXECUTIVE DIRECTOR: Conferences and seminars called by the New York State Office of Children and Family Services, and Association of New York State Youth Bureaus

DIRECTOR AND DEPUTY DIRECTOR OF EMERGENCY SERVICES: NYS Fire Coordinators Conference, NYS Regional Fire Administrators Conference, NYS Disaster Preparedness Conference, NYS Emergency Management Association Conference, NYS E911 Coordinators Conference (Director and Communications Supervisor).

HIGHWAY SUPERINTENDENT AND PRINCIPAL CIVIL ENGINEER AND/OR DEPUTY SUPERINTENDENT: New York State County Highway Superintendents Meetings and Conferences, Statewide Conference on Local Bridges

SENIOR CIVIL ENGINEER: New York State Land Surveyors Conference.

DEPUTY SUPERINTENDENT OF HIGHWAYS, HIGHWAY MAINTENANCE SUPERVISOR, SENIOR CIVIL ENGINEER: Hazardous Materials/Safety Meetings called by OSHA/Safety Officers Association.

LEGISLATORS: New York State Association of Counties, and Towns Association, MVEDD

MENTAL HEALTH - DIRECTOR OF COMMUNITY SERVICES AND/OR ONE MEMBER: New York State Association of Community Mental Health Boards Annual Meeting, New York State Conference of Mental Hygiene Directors.

PLANNING BOARD (two members): Annual Planning and Zoning Seminar.

**PROBATION DIRECTOR:** New York State Probation Administrators Conferences, New York State Association of Counties, New York State Division of Probation and Correctional Alternatives Conference, Training Seminars and Statewide Symposium for Probation Directors, New York Association of Pre-trial Service Agencies Conferences/Training, New York State Division of Probation and Correctional Alternatives, and/or New York State Office of Children and Family Services Conferences/Training relating to PINS Adjustment Services Program, Annual Symposium on State/Local Corrections, New York State Probation Officers Conference, American Probation & Parole Association Training Institute/Conferences, Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Annual Meeting/Conference.

**PROBATION SUPERVISOR (two):** New York State Division of Probation and Correctional Alternatives Conferences and Training Seminars, New York State Association of Pretrial Service Agencies Conferences and Training, New York State Division of Probation and Correctional Alternatives and/or New York State Office of Children and Family Services Conferences/Training relating to PINS Adjustment Services Program, Annual Symposium on State/Local Corrections, New York State Probation Officers Conference, American Probation & Parole Association Training Institutes/Conferences. Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Annual Meeting/Conference.

**SENIOR PROBATION OFFICER (three) PROBATION OFFICERS/TRAINEES (twelve):** New York State Division of Probation and Correctional Alternatives Conferences and Training Seminars, Annual Symposium on State/Local Corrections (five), New York State Probation Officers Conference (six), American Probation & Parole Association Training Seminars/Institutes, NYS Assoc. For Pretrial Service Agency Conferences/Training (five).

**PUBLIC HEALTH NURSING SERVICE - DIRECTOR OF PUBLIC HEALTH OR DESIGNEE:** New York State Association of Counties Meetings/Conference, Director of Public Health to attend Conferences/Meetings called by Commissioner of Health and nine meetings per year, Annual Immunization Action Conference. Early Intervention- Annual Early Intervention Conference, St. Luke's Development Intervention Conference.

**REAL PROPERTY TAX SERVICE AGENCY - DIRECTOR:** New York State Association of Counties and Towns, State continuing education courses to fulfill annual requirements; New York State Directors Association Annual Conference/meetings; New York State Assessors Association Annual Conference; County Assessors, Real Property Tax Specialist, Real Property Tax Aide, Senior Tax Map Technician and Tax Map Technician and Data Collectors to attend meetings and work related seminars, training sessions and courses. All other departmental employees in need of attending training courses, as approved by the County Administrator. Assessor Aide to attend training session to receive certification.

**SEWER DISTRICT - SECRETARY TO THE SEWER BOARD AND CHIEF SEWAGE TREATMENT PLANT OPERATOR.** New York State Water Environment Association, and New York State Association of Counties. New York State Department of Environmental Conservation. District Legal Counsel to attend conferences approved by Planning and Development Committee.

**SEWER BOARD CHAIRMAN:** New York State Association of Counties.\*

**SEWER BOARD CHAIRMAN, BOARD MEMBERS, ATTORNEY and CHIEF SEWAGE TREATMENT PLANT OPERATOR:** Attendance at Sludge Treatment/Disposal Conferences when deemed beneficial to the District.

\*In the event the Secretary to the Sewer Board, Chief Sewage Treatment Plant Operator and/or Chairman of Sewer Board elect not to attend the New York State Association of Counties, the following individuals at the discretion of the Sewer Board may be designated as alternatives (not to exceed two individuals at any conference): Board Members, Attorney for Sewer District, Deputy Secretary to Board.

**SHERIFF AND UNDERSHERIFF:** Law Enforcement Training Directors Association of New York State, New York State Sheriffs' Association, Bureau of Municipal Police and New York State Commission of Correction. Also, as needed, employees to attend programs sponsored by:

NYS Sheriff's Association, NYS Department of Corrections, NYS County Correctional Instructors Association, NYS Police Conferences, Training or Seminars, NYS Office of Mental Health, NYS Division of Criminal Justice Services, East Coast Gang Investigators Association Conferences, National Institute of Justices, International Association of Hostage Negotiators, NYS Association of Incarcerated Education Programs, NYS Department of Environmental Conservation, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Corrections, New York State County Correctional Instructors Association, National Police Bloodhound Association, Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Annual Meeting/Conference, NYS Commission of Correction, NYS DARE Officers Association, NYS Welfare Fraud Investigators, NYS Office of Parks, Recreation and Historic Preservation, Federal Bureau of Investigation and National Institute of Corrections, NYS Division of Criminal Justice Services and Office of Public Safety, National Sheriffs Association, Black Creek Integrated Systems, NYS Association of Counties, Linstar, Inc., Governor's Traffic Safety Committee, Glock Professional.

**SOCIAL SERVICES - COMMISSIONER:** New York Association of Counties, New York State Office of Family Assistance, New York State Office of Children and Family Services, New York State Department of Health, New York State Department of Labor, New York Public Welfare Association, Inc. and New York State Association of Training and Employment Professionals, NYS Welfare Fraud Investigators Association meetings. No more than eight of the following personnel are authorized to attend any one conference or workshop called by the New York State Department of Temporary and Disability Assistance, and no more than five are authorized to attend any one conference or workshop (twice during a year) called by the New York Public Welfare Association:

Director of Administrative Services, Director of Social Services, Head Social Welfare Examiner, Special Assistant to Commissioner of Social Services/Staff Developer, Employment Counselor, WMS Coordinator, Grade B Supervisor, Principal Social Welfare Examiner, Senior Caseworker, Principal Account Clerk, Account Clerk, Resource Assistant, Employment and Training Coordinator, Senior Social Welfare Examiner, Welfare Fraud Investigator, Social Welfare Examiner, Caseworker, Senior Clerk, Attorneys, Secretary to the Commissioner of Social Services, Child Support Enforcement Coordinator, Social Services Employment Coordinator, Country Manor Superintendent, Clerk, Typist, Support Investigator, Data Entry Operator, Account Clerk Typist, Community Services Aide, Homemakers, and Caseworker Aide. CPS Caseworker, CPS Senior Caseworker, CPS Grade B Supervisor, HEAP Examiner and Social Services Investigator, Senior Microcomputer Operator, Computer Operator, Managed Care Coordinator, Photo Machine Operator, Registered Nurse.

**STOP-DWI PROGRAM COORDINATOR:** STOP-DWI Coordinators meetings, New York State Department of Motor Vehicle Conferences and up to 3 other attendees from the Law Enforcement /Probation Community, and Seminars pertaining to the STOP-DWI Program.

**TREASURER:** County Finance School, County Treasurers Association. Also, County Property Agent, and two other designated persons to attend New York State Association of Counties Finance School, NYSAC Annual meeting, County Treasurers Association Annual Conference, County Treasurers Quarterly Meetings.

**VETERANS' DIRECTOR AND SERVICE OFFICER:** Conferences called by the New York State Division of Veterans Affairs and Conferences called by the County Veterans' Service Officers Association of New York State, American Legion Annual Advanced Training conducted in New York or Indianapolis, Indiana, Management Assistance Council meetings regarding the VA Medical Center at Syracuse/Rome, and meetings requested by U.S. Senator Kristen Gillibrand, Congressman Richard Hanna, New York State Assemblyman Marc Butler and State Senator James Seward regarding Veterans Affairs and special events regarding veterans benefits and programs that Director is invited as guest.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY

BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Smith, Resolution No. 324 of the Committee on Ways and Means authorizing payment of dues for municipal officers and employees for the year 2014 was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Hyde, Brezinski (2).

No. 324

**RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2014**

RESOLVED, that dues are hereby authorized to be paid for the county officers and employees in those organizations specifically set forth below, which payments shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid:

<b>COUNTY OFFICER/EMPLOYEE</b>	<b>ASSOC. /ORGANIZATION</b>	<b>AMOUNT</b>
Director, Office for Aging	NYS Assoc. of Area Agencies	\$1,300.00
Nutrition Services Coordinator	NYS Coalition for the Aging	\$125.00
	Meals on Wheels Association of America	\$175.00
	County Attorneys' Assoc. of State of New York	\$411.00
County Attorney		
Personnel Officer	Society for Human Resources Management	\$190.00
	NYS Assoc. County Personnel & Civil Service Officer	\$100.00
Clerk of Legislature	NYS Assoc. of Clerks of Legislative Boards	\$100.00
County Administrator	NYS Co. Administrators Assoc	\$400.00
County Clerk and Deputy County Clerk	NYS Assoc. of County Clerks	\$300.00
	NYALGRO (3 memberships @\$30)	\$90.00
	Property Records Industry Assoc.	\$55.00
	National Safety Council	\$350.00
County Manor	Activities Assoc. Dist#5	\$20.00
	Mohawk Valley Activities Assoc.	\$10.00
Dir. Of Weights & Measures	NYS Assoc. & Weights & Meas.	\$20.00
	Nat'l Bureau of Weights & Measures	\$75.00
	Conference on Weights & Measures	
	Semi-Annual NYS Central Group Conference & Training	\$40.00
Election Commissioners (2)	NYS Election Commissioners Assoc.	
	50/ea.	\$100.00

Employment & Training Dir	NYATEP/NAPTEP/NASAC	\$3,000.00
	ESOYES	\$150.00
	Herkimer County ADC	\$100.00
Exec. Dir of Youth Bureau	NYS Association of Youth Bureaus	\$200.00
Coroners	NYSACCME (4 @ \$110/ea.)	\$440.00
Highway Superintendent/ Deputy Highway Supt.	NYS County Highway supt Association	\$350.00
	NYS County Hwy. Supt. Conferences	\$1,400.00
	NYS Bridge Conference	\$200.00
Senior Civil Engineer	NYS Land Surveyors Conference	\$700.00
Highway Maintenance Supervisor and/or Deputy Superintendent (2)	NYS Safety Officers Assoc.	\$75.00
<b>COUNTY OFFICER/EMPLOYEE</b>	<b>ASSOC. /ORGANIZATION</b>	<b>AMOUNT</b>
Legislators	NYS Assoc. of Counties	\$7,782.00
	Nat'l Assoc. Of Counties	\$1,426.00
Director of Community Services	NYS Mental Hygiene Directors Assoc.	\$2,202.00
Director of Emergency Services	NYS Fire Coordinators' Assoc. (Director and Deputies)	\$180.00
	NYS Emergency Managers Assoc.	\$80.00
	Region III Emergency Management Assoc.	\$60.00
	NYS 911 Coordinators Assoc. (Director and Communications Supervisor)	\$80.00
Probation Director	NYS Council of Probation Administrators	\$500.00
	American Probation and Parole Assoc.	\$50.00
	NYS Assoc. for Pretrial Service Agencies	\$25.00
	NYS Probation Officers Assoc. Administrative Member	\$12.50
	Middle Atlantic-Great Lakes Organized Crime law Enforcement Network (MAGLOCLEN)	\$400.00
Probation Supervisor (2)	NYS Probation Officers Assoc. (\$25./ea.)	\$50.00
	NYS Pretrial Services Agencies (\$25/ea.)	\$50.00
Senior Probation Officer (3) Probation Officers/Trainees(to 12)	NYS Probation Officers/ Assoc. (\$25 ea.)	\$375.00
Probation Officer/ Trainee (2)	NYS Assoc. for Pretrial Service Agencies (\$25/ea)	\$50.00
District Attorney	NYS District Attorneys' Assoc. (D.A. & Asst. D.A.)	\$750.00
Director of Public Health	NYS Assoc. of County Health Officials	\$1,347.00
	Infection Control Assoc	\$20.00
	Assoc. of Director of Patient Services of	\$25.00

	CNY	
	NE Regional Supervisors Assoc.	\$40.00
	Prevent Child Abuse America Aff. Fee	\$600.00
Dir. Of Information Services	NYS Directors of Data Processing Assoc	\$50.00
Real Property Tax Director	NYSAC- Conference Registration	\$300.00
	NYS County Directors Assoc.	\$200.00
	Northeast Regional Directors Assoc.	\$30.00
	NYS Assessors' Assoc. (1@\$85.00)	\$85.00
	NYS Assessors' Assoc. (1@100.00)	\$100.00
	NYS Assessors' Assoc. (1@115.00)	\$115.00
	Herkimer County Assessors' Assoc. (7 towns) \$20 each	\$140.00
	Continuing Education: Assessors Training	\$700.00
Sheriff	NYS Sheriffs' Assoc.	\$270.00
	NYS Welfare Fraud Assoc	\$60.00
	LETD NYS (Law Enforcement Training Directors)	\$60.00
	NYS D.A.R.E. Officers Assoc.	\$40.00
	NYS Co. Correctional Instructors Assoc.	\$40.00
	American Jail Association	\$144.00
	NYS Association of Traffic Safety Boards	\$75.00
	Int'l Assoc. of Hostage Negotiators	\$25.00
	East Coast Gang Investigators Assoc	\$45.00
Sheriff (continued)	NYS Assoc. of Incarcerated Education Programs, Inc.	\$25.00
	Nat'l Assoc. of Chiefs of Police	\$50.00
	American Safety and Health Institute	\$80.00
	Central NY Assoc. of Chiefs of Police	\$50.00
	NY Academy of Fire Science	\$50.00
	NYS Police Juvenile Officer Association	\$60.00
Dept. of Social Services	American Public Human Services. Assoc.	\$700.00
	NYS Public Welfare Assoc	\$4,158.00
	NY Welfare Fraud Investigators Assoc	\$25.00
Director of Administrative Services	Fiscal Administrators' Assoc of NYS Public Welfare Assoc.	\$25.00
Staff Development	NYS Staff Development Assoc	\$25.00
Supervisor-Sewer District-Plant Operator	NYS Water Environment Federation (NYS Water Environment Assoc.) total	\$360.00
STOP-DWI Coordinator	NYS STOP-DWI Coordinators' Assoc	\$900.00
	NYS Assoc. of Traffic Safety Bds.	\$75.00
	Mohawk Valley School Resource Officers Coalition	\$20.00
	NYS Statewide Accident Reconstruction Society (2 police officers)	\$150.00
County Treasurer/Deputy	NYS County Treasurer' & Finance	\$360.00

Treasurer	Officers' Assoc	
	Treasurer's Association Dues	\$50.00
	Quarterly Treasurer Meetings	\$100.00
	NYS Co. Treasurer & Finance Officers	\$120.00
	Assoc. Summer Conference	
Veterans' Service Officer	County Veterans Service Officers Assoc	
	of NYS, Inc	\$30.00
	American Legion	\$30.00
	Vietnam Veterans of America	\$30.00
	National County Veterans' Service	
	Organization	\$30.00
	Marine Corps League dues	\$30.00
Planning Board Chairman	NYS Planning Federation	\$350.00

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and each county officer and/or department listed above.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 325 of the Committee on Ways and means authorizing contracts with Non- Profit Organizations for the year 2014 was handed up; voted on and adopted by voice vote:

For: All ayes (15).

Against; None.

Absent: Hyde, Brezinski (2).

No. 325

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
AUTHORIZING CONTRACTS WITH NON-PROFIT ORGANIZATIONS FOR THE  
YEAR 2014**

WHEREAS, Section 224 of the County Law grants this Legislature power to contract with non-profit organizations and other corporations, associations and agencies which are within the County of Herkimer and formed to provide the services enumerated below and with such organizations within any adjoining county formed in and for such purposes and providing services which are the subject of the contract and are to be rendered within Herkimer County; and

WHEREAS, this Legislature has considered requests from various organizations for financial aid and has determined that the purposes for which such requests were made as set forth below are within the provisions enumerated in County Law Section 224; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby authorizes contracts for the year 2014 with the organizations named below in the amounts and for the purposes set forth;
2. That each said contract shall require the rendering of a verified account of the disbursements from the amount contracted for with verified or certified vouchers thereto attached.
3. That each said contract shall provide for a refund of any unused amount;
4. Before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of such organization agreeing to comply with the terms of this Resolution;

5. That the contracts hereby authorized are as follows:

Services as set

Forth in Statute

(County Law Sec.)

Organization	Amount	
Central Adirondack Association, Inc.	\$ 30,000.00	224(14)
Adirondack North Country Association	\$ 900.00	224(14)
Cooperative Extension Assoc. Of Herkimer County	\$218,756.00	224(8)
Cooperative Extension Association of Herkimer County Legislature Intern Program	\$ 2,500.00	224 (8)
Herkimer County Industrial Development Agency	\$ 65,000.00	224(14)
Herkimer County Chamber of Commerce	\$31,500.00	224(14)
Route 20 Association	\$ 100.00	224(14)
Herkimer County Historical Society	\$27,500.00	224(2)
Herkimer County Humane Society	\$15,000.00	224(2)
Herkimer County Humane Society - Reimbursement for animal cruelty investigations	\$ 5,000.00	224(4)
Mohawk Valley Economic Development District, Inc.	\$20,000.00	224(14)
Community Action-Headstart	\$ 4,750.00	224(22)

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be, and he hereby is, authorized to execute the said contracts on behalf of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and each organization.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH

BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Hendrix, seconded by Mr. Ackerman and Mr. Smith, Resolution No. 326 of the Committee on Public Safety/Emergency Management and the Committee on Administration/Veterans' Affairs opposing use by the State of Herkimer County Logo on the Pistol Permit Certification Website was handed up; discussion was held; Mrs. Rose requested a roll call vote; was voted on and adopted by roll call vote:

For: Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: Hartman, Rose (2).

Absent: Hyde, Hendrix (2).

No. 326

**RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY  
MANAGEMENT AND THE COMMITTEE ON ADMINISTRATION/VETERANS'  
AFFAIRS OPPOSING USE BY THE STATE OF THE HERKIMER COUNTY LOGO  
ON THE PISTOL PERMIT CERTIFICATION WEBSITE**

WHEREAS, your Committees have been advised by the Herkimer County Sheriff that the New York State Sheriff's Association has indicated that the State IT Department has been considering plans to use local identifiers, such as a county or sheriff's seal, on the pistol permit recertification website, and notification letters to pistol permit holders, in connection with mandatory pistol permit recertification put in place by the New York SAFE Act; and

WHEREAS, the Herkimer County Legislature has gone on record in opposition to the SAFE Act and does not want the use of the Herkimer County seal or logo to be used in implementation of the SAFE Act because it may create the mistaken impression that Herkimer County has some active role in the process or supports it; now, therefore, be it

RESOLVED, that the Herkimer County Legislature opposes the use by the State of New York or any other party of the County's name, seal or logo in connection with the pistol permit recertification process mandated by the SAFE Act; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew Cuomo, Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblywoman Claudia Tenney, Assemblyman Anthony J. Brindisi, the Superintendent of the State Police, the New York State Sheriffs' Association, Inc. NYSAC, the Herkimer County Sheriff and the Herkimer County Clerk.

Dated: December 11, 2013.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
Committee on Public Safety/Emergency  
Management

JEAN E. MANEEN  
BRUCE WEAKLEY  
FREDERICK J. SHAW  
ROBERT N. HYDE  
PETER F. MANNO  
RAYMOND JOHNSON  
Committee on Administration

Veterans' Affairs

On motion of Mr. Russell, seconded by Mr. Johnson, Resolution No. 327 of the Committees on Human Resources, County Properties and Ways and Means authorizing cancellation of contract for sale of Country Manor was handed up; discussion was held, was voted on and adopted by roll call vote:

For: Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

Against: Hartman, Rose (2).

Absent: Hyde, Hendrix (2).

No. 327

**RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES, COUNTY PROPERTIES AND WAYS AND MEANS AUTHORIZING CANCELLATION OF CONTRACT FOR SALE OF COUNTRY MANOR**

WHEREAS, Resolution No. 221 dated September 12, 2012 authorized the sale of the Country manor premises on New York State Route 28 in the Town of Herkimer to Advanced Healthcare Management, LLC; and

WHEREAS, a contract was entered into for that sale dated October 31, 2012, which, among other things, provided that the contract could be terminated by the County if the closing had not taken place on or before June 1, 2013; and

WHEREAS, by Resolution No. 169 dated July 3, 2013 the County extended the time to cancel from June 1, 2013 to September 30, 2013; and

WHEREAS, since the contract was signed the CSEA has brought litigation attempting to set aside the proposed sale, and although the County has prevailed in that litigation in Supreme Court, the CSEA has filed an appeal, which will cause extensive delays in the attempted sale, thereby costing the taxpayers of Herkimer County substantial amounts of money to keep the facility open during the appeal process, with no guarantee that the sale will go forward at its conclusion; now, therefore, be it

RESOLVED, that the County of Herkimer hereby exercises its right to terminate the agreement for failure to close before the above specified date, with this Resolution to take effective at 5:00 p.m. on Friday, December 27, 2013, so that the purchaser and CSEA will have a final opportunity to attempt to come to an agreement that might allow the purchaser to move forward; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Commissioner of Social Services and Advanced Healthcare Management, LLC.

Dated: December 11, 2013.

DENNIS KORCE  
BRUCE WEAKLEY  
ROBERT N. HYDE  
KURT J. ACKERMAN  
RAYMOND JOHNSON  
ROBERT J. SCHRADER  
**Committee on County Properties**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

RAYMOND SMITH  
FREDERICK J. SHAW  
JEAN E. MANEEN  
LEONARD R. HENDRIX

PATRICK E. RUSSELL  
PETER F. MANNO  
**Committee on Human Resources**

On motion of Mr. Ackerman, seconded by Mr. Smith, Resolution No. 328 of the Committee on Ways and Means approving the completed tax rolls of the several towns and the City of Little Falls, directing the execution and delivery of warrants for the collection of the taxes extended therefor pursuant to Section 904 of the Real Property Tax Law was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Hyde, Hendrix (2).

**No. 328**

**RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS APPROVING THE COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND THE CITY OF LITTLE FALLS, DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF THE TAXES EXTENDED THEREFOR PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW**

WHEREAS, upon the tax rolls of the several towns and the City of Little Falls, several taxes have been, by the Director of Real Property Tax Services, duly extended as provided by law, and said completed tax rolls have been laid before this Legislature for its approval; now, therefore, be it

RESOLVED, that the said tax rolls be approved as so completed, that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes thereon as set forth therein; and, be it further

RESOLVED, that there be annexed to each of said rolls a warrant in the form prepared by the Director of Real Property Tax Services and the Clerk as provided in Section 904 of the Real Property Tax Law and laid before this Legislature in the respective amounts authorized to be levied upon each of said rolls; that the several warrants be signed by the Chairman and the Clerk of this Legislature, under the seal of the Legislature, and shall be delivered to the respective collectors of the several tax districts in the County of Herkimer.

Dated: December 11, 2013.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Korce, seconded by Mr. Ackerman, Resolution No. 329 approving minutes for 2013 was handed up; voted on and adopted by voice vote:

For: all ayes (15).

Against: None.

Absent: Hyde, Hendrix (2).

**No. 329**

RESOLVED, that the minutes as finally read by the Clerk, and each day read and accepted be, and the same hereby are, approved and that the same be signed by the Chairman and the Clerk of the Herkimer County Legislature and be declared to be a correct and full account of the Proceedings of the Herkimer County Legislature for the year 2013.

Dated: December 11, 2013.

DENNIS KORCE

On motion of Mr. Peplinski, seconded by Mr. Johnson, Resolution No. 330 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, Hendrix (2).

No. 330

#### CHAIRMAN'S AND CLERK'S CERTIFICATE

We, Vincent J. Bono, Chairman, and Carole L. LaLonde, Clerk of the Herkimer County Legislature, do hereby certify that the foregoing Proceedings of the County Legislature, typographical errors excepted, are a true and correct transcript of the Proceedings of the Legislature of the County of Herkimer for the Special, Regular and Annual Sessions of 2013, and the same be printed in the volume by authorization of said Herkimer County Legislature.

Dated: December 11, 2013.

VINCENT J. BONO  
Chairman, Herkimer County  
Legislature

CAROLE L. LaLONDE  
Clerk, Herkimer County  
Legislature

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators.

Chairman Bono then presented a plaque to outgoing Legislator Hartman. He also presented plaques to retiring Legislators Maneen and Hendrix for their many years of service. The following legislators had comments: Mr. Hartman, Mrs. Rose, Mr. Smith, Mr. Russell, Mr. Brezinski.

At 8:40 p.m. on motion of Mr. Manno, seconded by Mr. Shaw, the Legislature adjourned Sine Die.