

MINUTES
Herkimer County Legislature
Second Quarter – Fourth Day
Wednesday, June 16, 2010
7:30 p.m.

This Session of the Herkimer County Legislature was called to order by Chairman Raymond Smith at 7:30 p.m.

Chairman Smith called on Steve Billings Personnel Officer, to lead the Legislature in the Pledge of Allegiance.

Roll Call: Quorum present, the following answering the roll:

Present: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Shaw, Weakley (16).

Absent: Russell (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Smith asked if there were any objections or corrections to the minutes of May 19, 2010.

Pursuant to Rule 11, Chairman Smith opened the floor for public comment. The following individual had comment on the topic indicated:

Christine Jackson, Mohawk, New York – May 19th Legislature Meeting

Chairman Smith stated that the communications received by the Legislature and the committees to which they were referred were listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. There were no communications requested to be read.

No. 194 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting draft requests for proposals for public review. Ordered filed.

No. 195 – A communication was received from Brookfield Renewable Power submitting progress report on Oswegatchie River Hydroelectric Project. Ordered filed.

No. 196 – A communication was received from the Adirondack North Country Association expressing appreciation for the County's annual appropriation. Ordered filed.

No. 197 – A communication was received from the Soil and Water Conservation District submitting board minutes of 5/11/10. Ordered filed.

No. 198 – A communication was received from the Sheriff submitting the monthly report for April 2010. Referred to the Committee on Public Safety and Emergency Management.

No. 199 – A communication was received from the Executive Director of the Youth Bureau submitting the 2009 Youth Bureau Annual Report. Referred to the Committee on County Planning and Development. Referred to the Committee on County Planning and Development.

No. 200 – A communication was received from the Director of Real Property Tax Services requesting establishment of fees for provision of tax mapping files. Referred to the Committee on Ways and Means.

No. 201. A communication was received from the Director of Community Services submitting May activities update. Ordered filed.

No. 202 – A communication was received from Assemblyman Butler acknowledging receipt of recent resolutions. Ordered filed.

No. 203 – Two communications were received from Senator Seward acknowledging receipt of recent resolutions. Ordered filed.

No. 204 – A communication was received from Governor Paterson acknowledging receipt of a resolution. Ordered filed.

No. 205 - A communication was received from the Budget Officer requesting authorization for bid for meals. Referred to the Committee on Human Resources.

No. 206 – A communication was received from the Director of Public Health requesting appointments to Professional Advisory Board and reappointments of medical personnel. Referred to the Committee on Human Resources.

No. 207 – A communication was received from the Commissioner of Social Services requesting staffing change. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 208 – A communication was received from the Director of Public Health requesting staffing change. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 209 – A communication was received from the Director of Public Health requesting contracts with specialty consultants for mandatory services of public health programs. Referred to the Committees on Human Resources and Ways and Means.

No. 210 – A communication was received from the Director of Community Services requesting liability insurance for psychiatric services provided to inmates at Correctional Facility. Referred to the Committee on Human Resources and Ways and Means.

No. 211 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting the 2009 Annual Report. Ordered filed.

No. 212 – A communication was received from Assemblyman Butler supporting application for small cities grant funding for Herkimer County Micro Enterprising program. Ordered filed.

No. 213 – A communication was received from the Personnel Officer requesting contract for health insurance consultant services. Referred to the Committee on Ways and Means.

No. 214 – A communication was received from the County Property Agent submitting results of county land auction. Referred to the Committee on County Properties.

No. 215 – A communication was received from the County Property Agent requesting issuance of cancellation of taxes on certain parcels. Referred to the Committee on County Properties.

No. 216 – A communication was received from ProAct, Inc. submitting monthly report of the Herkimer County Discount Drug Card Program. Ordered filed.

No. 217 – A communication was received from NYSAC acknowledging receipt of a resolution. Ordered filed.

No. 218 – A communication was received from the Attorney General's Office expressing thanks for privilege to make a presentation at the legislature meeting. Ordered filed.

No. 219 – A communication was received from the Capitol District OTB submitting financial report for April 2010. Ordered filed.

No. 220 – A communication was received from the Director of Community Services submitting Local Government Plan for Mental Hygiene Services. Referred to the Committee on Human Resources.

No. 221 – A communication was received from the Commissioners of Elections requesting increase in technicians salaries. Referred to the Committee on Administration/Veterans Affairs and the committee on Ways and Means.

No. 222 – A communication was received from the Budget Officer submitting request for transfer of funds. Referred to the Committee on Ways and Means.

No. 223 – A communication was received from the Budget Officer submitting request for budget amendment in the Youth Bureau. Referred to the Committee on Ways and Means.

No. 224 – A communication was received from the Budget Officer requesting authorization for bids for asbestos removal, moving services and replacement of carpeting. Referred to the Committee on County Properties.

No. 225 - A communication was received from the Director of Information Services requesting amendment of contract and purchase of equipment. Referred to the Committee on Information Services.

No. 226 – A communication was received from the County Administrator requesting a contract to comply with a Federal Directive. Referred to the Committee on Ways and Means.

No. 227 – A communication was received from the HARC submitting report on 2009 Audit and Reports. Ordered filed.

No. 228 – A communication was received from the District Attorney requesting approval of Aid to Prosecution Grant. Referred to the Committee on Public Safety and Emergency Management and Committee on Ways and Means.

No. 229 – A communication was received from the Director of Emergency Services requesting extensions of contracts in connection with All-Hazards Mitigation Planning Grant. Referred to the Committee on Public Safety and Emergency management and the committee on Ways and Means.

No. 230 – A communication was received from the Budget Officer submitting request for budget amendment in connection with receipt of TANF funds for summer youth employment. Referred to the Committee on Ways and Means and the Committee on Planning and Development.

Mr. Korce made a motion, seconded by Mr. Ackerman, to combine Resolutions No. 160, 161 and 162. On motion of Mr. Hyde, seconded by Mr. Hendrix, Report and Resolution No. 160 of the Committee on Human Resources adopting annual report of the Department of Social Services, Report and Resolution No. 161 of the Committee on County Planning and Development adopting annual report of Herkimer County Youth Bureau, and Report and Resolution No. 162 of the Committee on Public Safety and Emergency Management adopting annual report of the Probation Department, were handed up; there being no debate, were voted on and approved by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 160

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
ADOPTING ANNUAL REPORT OF DEPARTMENT OF SOCIAL SERVICES**

Your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Department of Social Services for the period January 1, 2009 through

December 31, 2009, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Department of Social Services, be approved and printed in the proceedings of the Herkimer County Legislature for the year 2008.

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

No. 161

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Youth Bureau, for the year 2009, respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Youth Bureau for the year 2009 be approved and filed in the Office of the Herkimer County Legislature.

Dated: June 16, 2010.

JOHN J. PISECK, JR.
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD E. PEPLINSKI
FREDERICK J. SHAW, JR.
KURT J. ACKERMAN
Committee on County Planning and Development

No. 162

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT ADOPTING ANNUAL REPORT OF PROBATION DEPARTMENT

Your Committee on Public Safety and Emergency Management, to which was referred the Annual Report of the Herkimer County Probation Department for the year 2009 respectfully reports that we have examined said report, recommend that it be approved and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Probation Department for the year 2009 be adopted and filed in the Office of the Herkimer County Legislature.

Dated: June 16, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Hendrix, seconded by Mr. Shaw, Report and Resolution No. 163 of the Committee on Public Safety/Emergency Management approving monthly report of Sheriff was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 163

**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 April, 2010 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 April, 2010, which report reflects an average daily population of 56.14 inmates, with an average of 27.47 inmates being boarded out in April, be approved and filed; and, be it further

Dated: June 16, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Ackerman, seconded by Mrs. Maneen, Report and Resolution No. 164 of the Committee on Human Resources authorizing bids for meals on wheels and congregate meals programs for the Herkimer County Office for the Aging was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 164

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
AUTHORIZING BIDS FOR MEALS ON WHEELS AND CONGREGATE MEALS
PROGRAMS FOR THE HERKIMER COUNTY OFFICE FOR THE AGING**

WHEREAS, this Legislature is informed by communication from Bernard E. Decker, Budget Officer and Purchasing Agent, dated June 11, 2010, that it is necessary to bid for the provision of home delivered and congregate meals for the Dolgeville and Little Falls areas to obtain a new meal provider; now, therefore, be it

RESOLVED, that the Herkimer County Purchasing Agent be, and he hereby is, authorized and directed to advertise for bids for the provision of home delivered and congregate meals as listed below, accordance with specifications approved by your Committee, said advertisement to be in the official newspapers of the County, with bids to be received and opened in the Office of the Purchasing Agent, and the results thereof to be reported to this Legislature for approval and award:

Area:	Number of meals:
-------	------------------

<i>Dolgeville area</i>	Up to 50 meals/day
<i>Little Falls area</i>	Up to 75 meals/day

and, be it further

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

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

On motion of Mr. Weakley, seconded by Mr. Peplinski, Report and Resolution No. 165 of the Committee on Ways and Means authorizing fees for digital tax mapping services by the Herkimer County Real Property Tax Service Agency was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 165

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING FEES FOR DIGITAL TAX MAPPING SERVICES BY THE
HERKIMER COUNTY REAL PROPERTY TAX SERVICE AGENCY**

WHEREAS, by letter dated May 20, 2010 from Mary Ann Barbuto, Director of the Herkimer County Real Property Tax Service Agency, this Legislature is advised of a request to approve fees for maps, including digital files, prepared by the Herkimer County Real Property Tax Service Agency; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes charges for maps, including digital files, prepared by the Herkimer County Real Property Tax Service Agency as follows:

TYPE OF MAP	FEE
Digital:	
Town	\$ 40.00
Town of Webb	\$ 60.00
Town with Village	\$ 50.00
Village	\$ 20.00
Full County	\$600.00
Paper:	
Full Sheet (30" x 42")	\$ 6.00
Full Ortho Sheet	\$ 15.00
¼ Sheet (11" x 17")	\$ 3.00
¼ Sheet (11" x 17") Ortho	\$ 4.00

And, be it further

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

Dated: June 16, 2010.

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. Bono, seconded by Mr. Stone, Report and Resolution No. 166 of the Committee on Human Resources and the Committee on Ways and Means for staffing change in the Department of Social Services was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Shaw, Weakley (16).

Against: None.

Absent: Russell (1).

No. 166

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS FOR STAFFING CHANGE IN THE DEPARTMENT OF
SOCIAL SERVICES**

WHEREAS, by letter dated May 24, 2010, Ervin J. Fuller, Commissioner of Social Services has advised that after review of the duties of the position of Account Clerk-Typist in the Managed Care Unit, it is requested that said position to changed to Account Clerk; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Salary Schedule is hereby amended in Salary Schedule No. 3 to delete the position of Account Clerk-Typist in Account A6012, Managed Care Unit, and establish the position of Account Clerk at the base annual salary of \$25,029; and, be it further

RESOLVED, that the foregoing change shall take effect this date; and, be it further

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

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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. Bono, seconded by Mr. Hendrix, Report and Resolution No. 167 of the Committee on Human Resources concerning membership on Professional Advisory Board of Herkimer County Public Health Nursing Service was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No.167

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
CONCERNING MEMBERSHIP ON PROFESSIONAL ADVISORY BOARD OF
HERKIMER COUNTY PUBLIC HEALTH NURSING SERVICE**

WHEREAS, by letter dated May 19, 2010, Dr. Gregory O'Keefe, Director of Public Health, has submitted a recommendation for certain reappointments and a new appointment to

the Professional Advisory Board of the Herkimer County Public Health Nursing Service; now, therefore, be it

RESOLVED, that Dr. Richard Nocella, Ms. Deborah Lynch and Ms. Cathy Wintle hereby are reappointed to serve as members of the Professional Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2013; and, be it further

RESOLVED, that Ms. Crystal Wilkins, RD, is hereby appointed to fill a vacancy on the Professional Advisory Board, for a three year term to expire December 31, 2013; and, be it further

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

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

On motion of Mr. Bono, seconded by Mr. Hendrix, Report and Resolution No. 168 of the Committee on Human Resources concerning reappointment of medical personnel at the Herkimer County Public Health Nursing Service was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 168

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
CONCERNING REAPPOINTMENT OF MEDICAL PERSONNEL AT THE
HERKIMER COUNTY PUBLIC HEALTH NURSING SERVICE**

WHEREAS, by letter dated May 19, 2010, Dr. Gregory O'Keefe, Director of Public Health, has advised that pursuant to Section III, (8) (b) (12) of the By-Laws of the Herkimer County Public Health Nursing Service, certain medical personnel who have clinical privileges at the Herkimer County Public Health Nursing Service must be reappointed every two years; now, therefore, be it

RESOLVED, that the following named medical personnel are hereby reappointed for clinical privileges limited to their areas of licensure and specialization at the Herkimer County Public Health Nursing Service:

Gregory O'Keefe, MD, Public Health Director
Richard Nocella, DO, Medical Consultant
Deborah Lee, DO, Prenatal Care Service Physician
Kelly Hamlin, RD, Prenatal Care Services Registered Dietician

And, be it further

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

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

On motion of Mrs. Maneen, seconded by Mr. Hendrix and Mr. Shaw, Report and Resolution No. 169 of the Committee on Human Resources and the Committee on Ways and Means authorizing reimbursement for malpractice insurance to Mental Health Consultant was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 169

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING REIMBURSEMENT FOR MALPRACTICE INSURANCE TO MENTAL HEALTH CONSULTANT

WHEREAS, Dr. Anandavalli Menon is a psychiatrist under contract to provide services to the Herkimer County Mental Health Services; and

WHEREAS, by letter dated May 26, 2010, Edgar Scudder, Director of Community Services has requested Dr. Menon be reimbursed annually, for a sum not to exceed \$1,500, for

malpractice insurance in connection with her additional services to inmates at the Herkimer County Correctional Facility; and

WHEREAS, your Committees have taken this matter under consideration and recommend said reimbursement; now, therefore, be it

RESOLVED, that Dr. Anandavalli Menon, be and she hereby is, authorized to receive reimbursement, upon receipt of proper documentation, for a sum not to exceed \$1,500 annually, for malpractice insurance associated with her additional services to inmates at the Herkimer County Correctional Facility; and, be it further

RESOLVED, that said reimbursement shall continue so long as said sum shall not exceed \$1,500 annually; and, be it further

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

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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. Bono, seconded by Mr. Peplinski, Report and Resolution No. 170 of the Committee on Ways and Means amending Resolution No. 86 for 2004 authorizing contracts in connection with various Public Health Nursing Service programs was handed up; there being no discussion, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 170

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 86 FOR 2004 AUTHORIZING CONTRACTS IN CONNECTION WITH VARIOUS PUBLIC HEALTH NURSING SERVICE PROGRAMS

WHEREAS, by Resolution No. 86 for the year 2004 this Legislature authorized the Director of Public Health to propose for approval contracts with professionals of different specialties needed to complete mandatory elements of Public Health programs, and with permission by letter to enter into such contracts, after approval of the Committees on Human Resources and Finance (now Ways and Means), and in accordance with the regulations promulgated by the New York State Department of Health; and

WHEREAS, by letter dated May 18, 2010, Dr. Gregory O' Keefe, M.D., Director of Public Health, has submitted a request for the additional specialties of Consultant Pharmacist and Medical Records Specialist, with said services to be subject to state aid reimbursement in the amount of 36%; now, therefore, be

RESOLVED, that Resolution No. 86 for the year 2004 is hereby amended to include contracts for the additional specialties of Consultant Pharmacist and Medical Records Specialist which are necessary to complete mandatory services under Herkimer County Public Health Nursing Service programs; and, be it further

RESOLVED, that the Director of Public Health, after securing approval of the Committee on Human Resources and Committee on Ways and Means of this Legislature, present said contracts to the Chairman of the Legislature, who is authorized to execute said contracts on behalf of this Legislature; and, be it further

RESOLVED, that all other terms and conditions of said Resolution No. 86 of 2004, as amended, are 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 and Director of Public Health.

Dated: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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. Bono, seconded by Mr. Peplinski, Mr. Shaw and Mrs. Maneen, Report and Resolution No. 171 of the Committees on Human Resources and Ways and Means for staffing change in Public Health Nursing Service was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, smith, Bono, Ackerman, Peplinski, Korce, Shaw, Weakley (16).

Against: None.

Absent: Russell (1).

No. 171

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

WHEREAS, by letter dated May 18, 2010, Gregory O'Keefe, M.D., Director of Public Health has requested certain staffing changes in the Public Health Nursing Service; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Salary Schedule is hereby amended in Salary Schedule No. 3, Account A4010, Public Health Nurses, to delete one position of Typist, and establish one position of Office Assistant I at the base annual salary of \$24,112, effective this date; 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: June 16, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.

On motion of Mr. Peplinski, seconded by Mr. Korce, Report and Resolution No. 172 of the Committee on Ways and Means concerning health insurance broker services was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 172

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
CONCERNING HEALTH INSURANCE BROKER SERVICES**

WHEREAS, by letter dated June 4, 2010, Steven R. Billings, Personnel Officer, has advised that his office has received requests for proposals in connection with the provision of broker services for the Herkimer County health insurance programs; and

WHEREAS, said letter further advises that your Committee interviewed five providers of health care broker services in accordance with the Herkimer County Professional Services Procurement Policy, and that a request is being made that a contract be entered into with Gilroy, Kernan & Gilroy Insurance of New Hartford, New York, to perform health insurance consultant services in the areas of risk management, on going analysis, review, and evaluation of current county health insurance plans, as well as solicitation of proposals and quotes from insurance providers as to renewals of existing insurances at a cost of \$40,000 for the time period of August 1, 2010 through July 31, 2011; \$42,500 for the time period of August 1, 2011 through July 31, 2012 and \$45,000 for the time period of August 1, 2012 through July 31, 2013; now, therefore, be it

RESOLVED, that a contract be entered into with Gilroy, Kernan & Gilroy Insurance, 210 Clinton Road, P.O. Box 542, New Hartford, NY 13413, to perform health insurance consultant services in the areas of risk management, on going analysis, review, and evaluation of current county health insurance plans, as well as solicitation of proposals and quotes from insurance providers as to renewals of existing insurance at a cost of \$40,000 for the time period of August 1, 2010 through July 31, 2011; \$42,500 for the time period of August 1, 2011 through July 31, 2012 and \$45,000 for the time period of August 1, 2012 through July 31, 2013, with the terms and conditions of said contract to be subject to the approval of the County Attorney, which shall include a 90 day termination clause; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract 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, Personnel Officer and Gilroy, Kernan & Gilroy Insurance.

Dated: June 16, 2010.

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. Weakley, seconded by Mr. Keblish and Mr. Shaw, Report and Resolution No. 173 of the Committee on County Properties approving sale of county owned tax acquired land was handed up; debate was held; was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Shaw, Weakley (15).

Against: Rose (1).

Absent: Russell (1).

No. 173

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES
APPROVING SALE OF COUNTY OWNED TAX ACQUIRED LAND**

WHEREAS, by Resolution No. 113 for the year 2010 duly adopted on April 7, 2010, this Legislature authorized and directed the sale at public auction, after due advertisement, of certain county owned tax acquired real property under the direction of the County Treasurer; and

WHEREAS, the Properties Committee of this Legislature reports that said sale was duly held pursuant to said direction on June 5, 2010 at Herkimer, New York; and

WHEREAS, pursuant to the terms of sale the successful bidder on each parcel sold is required to pay the full purchase price together with recording fee and transfer tax by June 25, 2010; and

WHEREAS, the Properties Committee reports that the total number of parcels sold at the auction sale is 77 and the total amount to be received on said sales is \$1,084,490.00 as shown on the lists made available to each Legislator and filed with the Clerk of the Legislature; and

WHEREAS, the Properties Committee recommends approval of each sale as set forth on the said list, and conveyance of each said parcel to the successful bidder thereon providing

payment in full of the amount bid and required fees was received by the County Treasurer's Office; and

WHEREAS, the auction terms provide that default by a purchaser for failure to meet the terms of the auction shall result in forfeiture of the required deposit; now, therefore, be it

RESOLVED, that this Legislature approves the sales by auction reported by the Properties Committee and authorizes the County Treasurer to convey each said property to the successful bidder thereon, provided said bidder has paid the required purchase price and expenses to the County Treasurer, and to make conveyance by quit claim deed and to record each said deed; and, be it further

RESOLVED, that the County Property Agent is hereby instructed to advise the County Attorney's Office of defaults by purchasers, and the County Attorney's Office is hereby instructed to bring legal procedures if necessary to enforce said provision of the auction terms, reporting thereon to the Properties Committee of this Legislature, which shall have authority to confer with the County Attorney's Office as to any proposed settlement of said proceedings; and, be it further

RESOLVED, that the County Property Agent is hereby authorized to solicit sealed bids for the sale of any of the properties which were not conveyed based on the default of purchasers provided that said County Property Agent shall submit to the Committee on County Properties any and all bids, which bids shall be subject to the approval of the full Legislature; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, Chairman of the Committee on Finance and the County Attorney.

Dated: June 16, 2010.

BRUCE WEAKLEY
JOHN J. PISECK, JR.
VINCENT J. BONO
JEAN E. MANEEN
JEFFREY M. STONE
KURT J. ACKERMAN
Committee on County Properties

On motion of Mr. Weakley, seconded by Mr. Shaw and Mr. Peplinski, Report and Resolution No. 174 of the Committee on County Properties directing prospective cancellation of taxes on certain parcels was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Shaw, Weakley (16).

Against: None.

Absent: Russell (1).

No. 174

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES
DIRECTING PROSPECTIVE CANCELLATION OF TAXES ON CERTAIN PARCELS**

WHEREAS, the County of Herkimer has, for many years, enforced the collection of delinquent real estate taxes pursuant to Real Property Tax Law, Article 11, Title 3, Foreclosure of Tax Lien by Proceeding In Rem; and

WHEREAS, Real Property Tax Law Section 1138, provides methods to withdraw parcels of property from foreclosure and in certain instances, cancel said taxes; and

WHEREAS, parcels have been withdrawn from the County's list of delinquent taxes because if the County were to acquire the parcels, there is a significant risk that the County might be exposed to a liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and

WHEREAS, action can be taken by the Legislature pursuant to Real Property Tax Law Section 1138-(6)(d) to direct the enforcing officer to issue a certificate of prospective cancellation; and

WHEREAS, the issuance of such a certificate of prospective cancellation renders the parcel involved exempt from taxation until it is determined by the Legislature that the parcel should be restored to the taxable portion of the tax roll; now, therefore, be it

RESOLVED, that the Legislature hereby determines that there is no practical method to enforce the collection of delinquent tax liens arising hereafter against the parcels listed on Exhibit A attached hereto and made a part hereof; and, be it further

RESOLVED, that the Enforcing Officer is directed to issue a certificate of prospective cancellation for the parcels set forth on Exhibit A; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent and Director of Real Property Tax Services.

Dated: June 16, 2010.

BRUCE WEAKLEY
JOHN J. PISECK, JR.
VINCENT J. BONO
JEAN E. MANEEN
JEFFREY M. STONE
KURT J. ACKERMAN
Committee on County Properties

On motion of Mr. Korce, seconded by Mr. Bono, Report and Resolution No. 175 of the Committee on Ways and Means transferring funds was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 175

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

WHEREAS, your Committee on Finance, to which was referred a communication from the Budget Officer and Purchasing Agent dated July 11, 2010 submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said transfer 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:

\$12,000.00 From: A4010.10100, Public Health Nursing Service – Temp. Employees
To: A4014.10100, PCAP – Temporary Employees

And, be it further

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

Dated: June 16, 2010.

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. Bono, seconded by Mr. Shaw and Mr. Piseck, Report and Resolution No. 176 of the Committee on Ways and Means amending budget in connection with funding in the Youth Bureau was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 176

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AMENDING BUDGET IN CONNECTION WITH FUNDING IN THE YOUTH BUREAU

WHEREAS, by letter dated June 11, 2010 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2010 Budget in connection with funding received which the department requested; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Budget is hereby amended as follows:

<u>Revenue</u>	<u>From</u>	<u>To</u>
A7310B	\$0	\$3,500.00
<u>Appropriation</u>		
A7310B.44000, Youth Violence Prevention – Contracted Services	\$2,546.00	\$6,046.00

And, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget officer and Executive Director of the Youth Bureau.

Dated: June 16, 2010.

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 Mrs. Maneen, seconded by Mr. Keblish and Mr. Shaw, Report and Resolution No. 177 of the Committee on Administration/Veterans Affairs and the Committee on Ways and Means approving salary adjustment in Board of Elections was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, bono, Ackerman, Peplinski, Korce, Shawl, Weakley (15).

Against: Rose (1).

Absent: Russell (1).

No. 177

**REPORT AND RESOLUTION OF THE COMMITTEE ON
ADMINISTRATION/VETERANS AFFAIRS AND THE COMMITTEE ON WAYS AND
MEANS APPROVING SALARY ADJUSTMENT IN BOARD OF ELECTIONS**

WHEREAS, by Resolution No. 166 adopted on June 11, 2008 this Legislature established two positions of Voting Machine Technician pursuant to the requirements of the Help America Vote Act of 2002; and

WHEREAS, by letter dated June 11, 2010, Marty Smith and Shelly Pazzanese, Commissioners of the Board of Elections, have advised that after review of the duties and responsibilities of said positions, they are requesting an increase in the hourly salary from \$20.00 to \$25.00; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Salary Schedule is hereby amended in Salary Schedule No. 2, Account A1450, Board of Elections, to establish the salary for the two positions of Voting Machine Technician at the rate of \$25.00/hr; and

RESOLVED, that the foregoing change shall be effective June 16, 2010; and, be it further

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

Dated: June 16, 2010.

JEAN E. MANEEN
BRUCE WEAKLEY
FREDERICK J. SHAW, JR.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO

PETER F. MANNO
STEPHEN N. KEBLISH, JR.
JOHN L. BREZINSKI
Committee on Administration/
Veterans' Affairs

BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Weakley, seconded by Mr. Stone and Mr. Peplinski, Report and Resolution No. 178 of the Committee on County Properties authorizing bids for asbestos abatement services, moving services and replacement of carpeting in the Herkimer County Clerk's Office and Real Property Tax Department was handed up; there being no debate, was voted on adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 178

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES
AUTHORIZING BIDS FOR ASBESTOS ABATEMENT SERVICES, MOVING
SERVICES AND REPLACEMENT OF CARPETING IN THE HERKIMER COUNTY
CLERK'S OFFICE AND REAL PROPERTY TAX SERVICES DEPARTMENT**

WHEREAS, this Legislature is informed by communication from Bernard E. Decker, Budget Officer and Purchasing Agent, dated June 11, 2010, that specifications have been prepared for asbestos abatement (re-bid), moving services and replacement of carpeting in the Real Property Tax Department Office and the County Clerk's Office ; and

WHEREAS, said letter further advises that the original bid for asbestos abatement was combined with work at the former Information Services Building and that due to delays in the carpet project the contractor can no longer perform the work at the price bid; now, therefore, be it

RESOLVED, that the Herkimer County Purchasing Agent be, and he hereby is, authorized and directed to advertise for bids for the provision of asbestos abatement (re-bid), moving services and replacement of carpeting in the Real Property Tax Department Office and the County Clerk's Office, in accordance with specifications approved by your Committees, said advertisement to be in the official newspapers of the County, with bids to be received and opened in the Office of the Purchasing Agent, and results thereof to be reported to this Legislature for approval and award; and, be it further

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

Dated: June 16, 2010.

BRUCE WEAKLEY
JOHN J. PISECK, JR.
VINCENT J. BONO
JEAN E. MANEEN
JEFFREY M. STONE
KURT J. ACKERMAN
Committee on County Properties

On motion of Mr. Stone, seconded by Mr. Peplinski, Report and Resolution No. 179 of the Committee on Information Services and the Committee on Ways and Means amending Resolution No. 54 of 2010 authorizing contract for provision of equipment for Information Services Department was handed up; debate was held; was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 179

REPORT AND RESOLUTION OF THE COMMITTEE ON INFORMATION SERVICES AND THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 54 OF 2010 AUTHORIZING CONTRACT FOR PROVISION OF EQUIPMENT FOR INFORMATION SERVICES DEPARTMENT

WHEREAS, by Resolution No. 54 of 2010 this Legislature authorized a contract with Annese & Associates, Inc. of North Syracuse, New York, to provide and perform equipment services to update firewall and network switches at a cost of \$26,982.00, which project is Phase I of the consultant services provided by M.A. Polce Consulting, Inc.; and

WHEREAS, by letter dated June 9, 2010, JoAnn Boyer, Director of Information Services, has requested an amendment to said contract to revise the amount of said contract to \$19,772.85, and also requested permission to purchase a firewall/web filter device from VocalNet, Inc. of Pittsford, New York; now, therefore, be it

RESOLVED, that Resolution No. 54 adopted on February 17, 2010 is hereby amended in the First Resolved to change the cost of said contract from \$26,982.00 to of \$19,772.85; and, be it further

RESOLVED, that said resolution is further amended to add an additional Resolved Clause as follows:

RESOLVED, that the Chairman of this Legislature is authorized to enter into a contract with VocalNet, Inc., 1159 Pittsford-Victor Road, Building 5, Suite 140, Pittsford, NY 14534, for the purchase of a firewall/web filter device at a cost of \$6,895.00, in connection with Phase I of the recommendations provided by M.A. Polce Consulting, Inc., with said contract to be subject

to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that in all other respects, said Resolution No. 54 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 Information Services, Annese & Associates, Inc., and VocalNet, Inc.

Dated: June 16, 2010.

JEFFREY M. STONE
STEPHEN N. KEBLISH, JR.
KURT J. ACKERMAN
PETER F. MANNO
JEAN E. MANEEN
HELEN T. ROSE
Committee on Information Services

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. Hyde, seconded by Mr. Shaw, Report and Resolution No. 180 of the Committee on Ways and Means authorizing contract in compliance with federal directive was handed up; there being no debate, was voted on and adopted by voice vote:

Ayes: (14).

Against: Keblish, Korce (2).

Absent: Russell (1).

No. 180

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING CONTRACT IN COMPLIANCE WITH FEDERAL DIRECTIVE**

WHEREAS, by letter dated June 11, 2010, from James W. Wallace, Jr., this Legislature is advised of a request to enter into a contract with Kinney Management Services of Clinton Park, New York, to comply with the Federal Directive of 2009 which requires a background check for all employees and companies that contract with Herkimer County and receive federal funding; and

WHEREAS, said Kinney Management Services will set up a system that will assist Herkimer County in completing these background checks against the Office of the Inspector General of the U.S. Dept. of Human Services (OIG), the Excluded Parties List system (EPLS) and the New York State Office of the Medicaid Inspector General (OMIG); now, therefore, be it

RESOLVED, that this Legislature hereby approves a contract with Kinney Management Services, 3 Tallow Wood Drive, PO Box 1047, Clifton Park, NY 12065-0803, in the amount of \$3,200.00 to assist Herkimer County in complying with the Federal Directive of 2009 which requires a background check for all employees and companies that contract with Herkimer County and receive federal funding; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, with said contract 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, Kinney Management Services, County Attorney, Personnel Officer, DSS Commissioner, Director of Community Services, Employment and Training Director and Information Services Director.

Dated: June 16, 2010.

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. Hendrix, seconded by Mr. Bono, Report and Resolution No. 181 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 was handed up; debate was held, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 181

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 May 18, 2010 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 and serious felony offenders; and

WHEREAS, said grant award is in the amount of \$31,800.00, with no local match required and shall be effective for the term April 1, 2010 to March 31, 2011 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 \$31,800.00 for the period from April 1, 2010 to March 31, 2011; 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 certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and District Attorney.

Dated: June 16, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

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. Hendrix, seconded by Mr. Peplinski and Mr. Hyde, Report and Resolution No. 182 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means extending contracts in connection with development of

Hamilton-Herkimer Counties All-Hazards Mitigation Plan was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 182

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS EXTENDING CONTRACTS IN CONNECTION WITH DEVELOPMENT OF HAMILTON-HERKIMER COUNTIES ALL-HAZARDS MITIGATION PLAN

WHEREAS, pursuant to Resolution No. 238 of 2007 this Legislature approved receipt of a grant in connection with a joint application for FEMA planning grant funding for the development of a Hamilton-Herkimer Counties All-Hazards Mitigation Plan and authorized a contract with Strategic Teaching Associates of Liverpool, New York, to provide consultant services in connection with the implementation of said Plan; and

WHEREAS, by letter dated June 7, 2010 Robert Vandawalker, Director of Emergency Services, has requested an extension of said grant and contract to expend any unused funds through September 1, 2010; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension on behalf of the County of Herkimer in connection with the FEMA Funded Hamilton-Herkimer Counties All-Hazards Mitigation Plan, with said grant to be extended through September 1, 2010; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to execute an extension of the contract with Strategic Teaching Associates, Inc., 4158 Forestbrook Drive, Liverpool, New York, 13090, to provide consultant services in connection with the implementation of said plan through September 1, 2010; and, be it further

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

Dated: June 16, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.

Committee on Public Safety
And Emergency Management

Committee on Ways and Means

On motion of Mr. Piseck, seconded by Mr. Peplinski and Mr. Shaw, Report and Resolution No. 183 of the Committees on Ways and Means and County Planning and Development amending budget in connection with receipt of TANF summer youth funds was handed up; debate was held, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 183

REPORT AND RESOLUTION OF THE COMMITTEES ON WAYS AND MEANS AND COUNTY PLANNING AND DEVELOPMENT AMENDING BUDGET IN CONNECTION WITH RECEIPT OF TANF SUMMER YOUTH FUNDS

WHEREAS, by letter dated June , 2010 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2010 Budget to reflect TANF Summer Youth Program funds received from New York State; now, therefore, be it

RESOLVED, that the 2009 Herkimer County Budget is hereby amended as follows:

<u>Revenue Account:</u>	<u>From</u>	<u>To</u>
CD6291.4795, ETA -TANF		\$-0-
	\$49,616.00	
 <u>Appropriation Accounts:</u>		
CD6291, ETA:		
.10100-022, Summer Temp. Employees	\$-0-	\$ 37,529.00
.41000-160, Inventory	\$-0-	\$ 175.00
.41000-205, Printing	\$-0-	\$ 156.00
.44000, Contracted Services	\$-0-	\$ 5,477.00
.44000-370, Copier	\$-0-	\$ 30.00
.45000, Fees for Services	\$-0-	\$ 420.00
.46100-759, Mileage	\$-0-	\$ 1,000.00
.46300, Postage & Freight	\$-0-	\$ 100.00
.81000, Retirement	\$-0-	\$ 600.00
.83000, Social Security	\$-0-	\$ 2,327.00
.83500, Medicare	\$-0-	\$ 545.00
.84000, Workers Comp.	\$-0-	\$ 1,257.00

and, be it further

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

Dated: June 16, 2010.

JOHN J. PISECK
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW
KURT J. ACKERMAN
**Committee on County Planning
And Development**

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. Korce, seconded by Mr. Bono, Mr. Brezinski, Mr. Peplinski, Mr. Manno and Mrs. Rose, Resolution No. 184 of the Committee on Highways reappointing County Superintendent was handed up; there being no debate, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 184

RESOLUTION OF THE COMMITTEE ON HIGHWAYS REAPPOINTING COUNTY SUPERINTENDENT OF HIGHWAYS

RESOLVED, that Jay W. Ewanyk of 127 Jacksonburg Lane, Little Falls, New York, be and he hereby is, reappointed County Superintendent of Highways for the County of Herkimer pursuant to the provisions of the Highway Law of the State of New York for a term of four years, effective July 4, 2010, at a salary as set forth in the 2010 Salary Schedule for 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, Personnel Officer and Jay W. Ewanyk.

Dated: June 16, 2010.

DENNIS KORCE
VINCENT J. BONO
PATRICK E. RUSSELL
BRUCE WEAKLEY

JEFFREY M. STONE
BERNARD PEPLINSKI, SR.
Committee on Highways

Mr. Ewanyk expressed his thanks for the reappointment.

On motion of Mr. Shaw, seconded by Mr. Hyde and Mr. Bono, Resolution No. 185 of the Committee on Administration/Veterans' Affairs regarding proposed DEC regulations on outdoor wood boilers was handed up; debate was held, was voted on and adopted by voice vote:

All Ayes: (16).

Against: None.

Absent: Russell (1).

No. 185

RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS
AFFAIRS REGARDING PROPOSED DEC REGULATIONS ON OUTDOOR WOOD
BOILERS

WHEREAS, the New York State Department of Environmental Conservation has proposed new regulations on outdoor wood boilers which would impose severe restrictions on the use of outdoor wood boilers, including extensive modifications to existing wood boilers with no regard to whether such modifications are necessary for a particular boiler; and

WHEREAS, the proposed regulations would also require the replacement of existing wood boilers, with some boilers requiring replacement by 2015 and other boilers by 2020; and

WHEREAS, it is the opinion of your committee that such regulations would impose an undue burden on owners of existing outdoor wood boilers, would go beyond steps that have been taken in other states, and are not justified by current conditions; now, therefore, be it

RESOLVED, that the Herkimer County Legislature opposes the regulations as above described; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor David Paterson, Senator James L. Seward, Assemblyman Marc W. Butler, New York State Association of Counties, Intercounty Legislative Committee of the Adirondacks and the New York State Department of Environmental Conservation.

Dated: June 16, 2010.

JEAN E. MANEEN
BRUCE WEAKLEY

FREDERICK J. SHAW
PETER F. MANNO
STEPHEN N. KEBLISH, JR.
JOHN L. BREZINSKI
Committee on Administration/
Veterans' Affairs

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

At 8:13 p.m., on motion of Mr. Manno, seconded by Mr. Stone, the Legislature adjourned to Wednesday, July 7, 2010 at 2:00 p.m.