

MINUTES
Herkimer County Legislature
Third Quarter – Third Day
Wednesday, September 12, 2018
7:00 p.m.

Public Hearing

The Public Hearing on Introductory Local Law #1, Mortgage Tax was called to order at 6:45 p.m. by Patrick E. Russell, Chairman of the Committee on Ways & Means. The Clerk read the Notice. Legislator Russell opened the floor for public comment. There were no speakers and the hearing was declared closed at 6:47 p.m.

Public Hearing 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 8th day of August, 2018, Introductory Local Law No. 1 for the year 2018 entitled, “A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER”.

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 12th day of September, 2018 at 6:45 p.m. at which time all persons interested will be heard.

Dated: September 5, 2018.

By Order of the Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 7:02 p.m.

Chairman Peplinski called on Steven Billings, County Personnel Officer, to lead the legislature in the Pledge of Allegiance.

Chairman Peplinski called for a moment of Silence in recognition of all veterans, past and present, as well as the remembrance of those from September 11, 2001.

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

Present: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (17).

Absent: N/A.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of August 8, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

Pursuant to Rule 11, Comments by Residents. No persons wishing to speak.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. With no Chairmen wishing to report, Chairman Peplinski continued with the regular session.

Chairman Peplinski 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. Legislator Johnson asked that Communication #342 and #343 be read. The Clerk read the titles. Chairman Peplinski continued with the regular session.

No. 342 –A communication was received from the County Attorney’s Office Submitting Notice of Claim. Filed.

No. 343 - A communication was received from the County Attorney’s Office Submitting Notice of Claim. Filed.

No. 344 - A communication was received from the Budget Officer/Purchasing Agent requesting acceptance of grant and amendment of budget for Public Health Preparedness Grant. Referred to the Committees on Human Resources and Ways & Means.

No. 345 - A communication was received from the Director of the Herkimer County Youth Bureau – Requesting contracts for Youth Programs in 2018. Referred to the Committees on County Planning & Development and Ways & Means.

No. 346 - A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds for Public Health Nursing Service. Referred to the Committee on Ways & Means.

No. 347 - A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in DSS. Referred to the Committee on Ways & Means.

No. 348 - A communication was received from the Director of Community Services requesting acceptance of additional funding from NYS for Service Providers. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 349 - A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding in Mental Health. Referred to the Committee Human Resources and Ways & Means.

No. 350 - A communication was received from the Budget Officer/Purchasing Agent requesting acceptance of 2018 Homeland Security Funding and budget amendment. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 351 - A communication was received from the Director of Emergency Services requesting Agreement for Aney Hill Tower Site. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 352 - A communication was received from the Director of Emergency Services requesting Approval for work on McCauley Mountain Tower. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 353 – A communication was received from the Director of Real Property submitting Equalization Rates for 2019. Referred to the Committee on Ways & Means.

No. 354 – A communication was received from the Director of Real Property requesting renewal of Assessment Contract. Referred to the Committee on Ways & Means.

No. 355 – A communication was received from the Budget Officer/Purchasing Agent requesting Approval for Fence Repair. Referred to the Committees on County Properties and Ways & Means.

No. 356 – A communication was received from the Budget Officer/Purchasing Agent requesting Builders Risk Coverage for Herkimer County Correctional Facility Project. Referred to the Committee on Ways & Means.

No. 357 - A communication was received from the Budget Officer/Purchasing Agent requesting Contract for Elevator Maintenance. Referred to the Committees on County Properties and Ways & Means.

No. 358 - A communication was received from the Commissioner of Social Services requesting contract with Kids Oneida for SPIN Program. Referred to the Committees on Human Resources and Ways & Means.

No. 359 - A communication was received from the Director of Office for the Aging requesting Permanent Position. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 360 - A communication was received from the Personnel Officer verifying Salary Schedule change in Office for the Aging. Referred to the Committee on Ways & Means

No. 361 - A communication was received from the Director of the Office for the Aging requesting contract for Parkway Center for Individuals 60 and Over. Referred to the Committees on Human Resources and Ways & Means.

No. 362 - A communication was received from the Director of Employment & Training requesting additional Staff Position. Referred to the Committees on County Planning & Development and Ways & Means.

No. 363 - A communication was received from the Personnel Officer verifying Salary Schedule change. Referred to the Committee on Ways & Means.

No. 364 - A communication was received from the Employment & Training Director requesting Lease Agreement for One Stop Center. Referred to the Committees on County Planning & Development and Ways & Means.

No. 365 - A communication was received from the Employment & Training Director requesting Lease Agreement for Staff Works. Referred to the Committees on County Planning & Development and the Committee on Ways & Means.

No. 366 - A communication was received from the Employment & Training Director requesting Grievance Procedure Adoption. Referred to the Committees on County Planning & Development and the Committee on Ways & Means.

No. 367 - A communication was received from the Budget Officer/Purchasing Agent requesting Acceptance of Law Enforcement Terrorism Prevention Program in Sheriff's Department and amendment of budget. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 368 – A communication was received from the Budget Officer/Purchasing Agent requesting acceptance and Budget Amendment for Agriculture Farmland Protection Grant. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 369 - A communication was received from the Commissioner of Social Services requesting renewal of contract for TREATY Program. Referred to the Committees on Human Resources and Ways & Means.

No. 370 – A communication was received from the Commissioner of Social Services requesting authorization to submit Raise The Age Plan. Referred to the Committees on Human Resources, Public Safety/Emergency Management and Ways & Means.

No. 371 – A communication was received from the President of Herkimer County Community College submitting Notice of Resignation of Trustee. Referred to the Committee on Education.

No. 372 – A communication was received from the Senior VP for Administration & Finance at HCCC submitting Board of Trustees Resolution and requesting the Legislature adopt the same. Referred to the Committees on Education, County Properties and Ways & Means.

No. 373 - A communication was received from the Federal Energy Regulatory Commission submitting Scoping Document 2 for the West Canada Creek Hydroelectric Project. Filed.

No. 374 - A communication was received from the Oneida-Herkimer Solid Waste Authority submitting Regional Demolition Program Information. Filed.

No. 375 - A communication was received from the Herkimer County Soil & Water Conservation District submitting newsletter. Filed.

No. 376 - A communication was received from Kids Oneida submitting 2017 Annual Report. Filed.

No. 377 - A communication was received from Attorney Thomas Hughes advising of Trenton Town Board Public Hearing. Filed.

No. 378 - A communication was received from National Grid submitting Semi Annual PCB Report. Filed.

No. 379 - A communication was received from the STOP-DWI Coordinator requesting approval of 2019 Plan. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 380 - A communication was received from the County Treasurer submitting copy of letter regarding publication of audit. Filed.

No. 381 - A communication was received from the Executive Director of the Herkimer County Industrial Development Agency submitting request for application submission and Public Hearing. Referred to the Committee on County Planning & Development.

With that being all the communications, the Chairman continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 262A sponsored by the Committee on Ways & Means adopting Introductory Local Law 1, Local Law 2 entitled, A Local Law to Impose a Mortgage Recording Tax within the County of Herkimer was handed up; discussion held; voted on, and adopted by the following roll call vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: N/A.

Absent: N/A

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 263 sponsored by the Committee on Ways & Means Fixing Percentages which the Assessed Valuation of Real Property Bear to the Full or True Valuation of the Various Towns of the County and the City of Little Falls was handed up, voted on and adopted by voice vote:

Ayes: (17).

Against: N/A.

Absent: N/A

On motion of Mr. Campione, seconded by Mr. Bono, Report and Resolution No. 264 sponsored by the Committee on Ways & Means authorizing contract with the Town of Stark to provide Assessment Services to the Town was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: N/A.

Absent: N/A

On motion of Mr. Keeler, seconded by Mr. Schrader, Report and Resolution No. 265 sponsored by the Committees on County Planning & Development and Ways and Means authorizing contracts for Youth Programs for 2018 was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: N/A.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 266 sponsored by the Committees on County Planning & Development and Ways & Means authorizing contract for the Runaway and Homeless Youth Program for 2018 was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: N/A.

On motion of Mr. Bono, seconded by Mr. Shaw, Report and Resolution No. 267 sponsored by the Committees on Human Resources and Ways & Means amending Resolution No. 13 of 2018 for contracts in Herkimer County Mental Health Department was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: N/A.

On motion of Mr. Bono, seconded by Mr. Hollum, Report and Resolution No. 268 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means accepting grant, amending budget and establishing account for receipt of Homeland Security Funding was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: N/A.

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 269 sponsored by the Committees on Public Safety/Emergency Management and Committee on Ways &

On motion of Mr. Bono, seconded by Mr. Schrader, Report and Resolution No. 274 sponsored by the Committees on County Properties and Ways & Means accepting contract proposal for Elevator Maintenance of County Buildings was handed up; voted on and adopted by voice vote:

For: (17).

Against: N/A.

Absent: N/A

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 275 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means accepting Grant for Homeland Security Funding for Sheriff's Office was handed up; voted on and adopted by voice vote:

For: (17).

Against: N/A.

Absent: N/A

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 276 sponsored by the Committees on Human Resources and Ways & Means amending Salary Schedule III for position Changes in Office for the Aging was handed up; voted on and adopted by the following roll call vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: N/A.

Absent: N/A

On motion of Mr. Shaw, seconded by Mr. Weakley, Resolution No. 277 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving a contract for services under Title IIID in the Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

For: (17).

Against: N/A.

Absent: N/A

On motion of Mr. Bono, seconded by Mr. Malta, Resolution No. 278 sponsored by the Committee on County Planning & Development and Ways & Means amending Salary Schedule No. III for Position Change in Employment & Training was handed up; voted on and adopted by roll voice vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: N/A.

Absent: N/A

Pursuant to Rule 6, Chairman Peplinski asked if any members of the Legislature wished to comment. The following legislators had comments: Bono, Manno and Shaw. With no further comment, Chairman Peplinski requested a motion to adjourn the meeting.

At 7:25 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, October 3, 2018 at 2:00 p.m.

Sally I. Deming, Clerk

REPORTS AND RESOLUTIONS AND RESOLUTIONS



HERKIMER COUNTY LEGISLATURE

No. 262A

REPORT AND RESOLUTION REGARDING INTRODUCTORY LOCAL LAW NO. 1 FOR 2018

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means of the Herkimer County Legislature desires to report that on the 12th day of September, 2018, pursuant to Resolution No. 260 of 2018, it held a public hearing on the adoption of Introductory Local Law No. 1 for 2018 entitled, "A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER", and that there were no appearances and no objections at the said public hearing; that your Committee advises the adoption and enactment of the said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law No. 1 for 2018 be adopted in form attached hereto.

Dated: September 12, 2018.

INTRODUCTORY LOCAL LAW NO. 1 – 2018

LOCAL LAW NO. 2 – 2018

A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER

Be it enacted by the County Legislature of the County of Herkimer as follows:

Section 1. Imposition of Tax

Pursuant to Section 253-u of the Tax Law, as amended by Chapter 125 of the Laws of 2016, there is hereby imposed in the County of Herkimer a tax of \$0.25 for each \$100 and each remaining major fraction thereof of principal debt or obligation, which is or under any contingency may be secured at the date of execution thereof or at any time thereafter, by a mortgage on real property situated within the County of Herkimer and recorded on and after December 1, 2018, and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00. This local law

hereby continues without interruption the imposition of the Herkimer County Mortgage Recording Tax as authorized by Herkimer County Local Law No. 3 for 2005.

Section 2. Applicability

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under Section 253.1 and Section 255.1(b) of the Tax Law.

Section 3. Additional Taxes

A tax imposed pursuant to this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 4. Payment of Taxes

The tax imposed pursuant to this local law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated. Where such property is situated within and without the county imposing this tax, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed herein. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 5. Real Property Located in More than One County

Where real property covered by the mortgage subject to the tax imposed pursuant to this local law is situated in the State of New York but within and without the County of Herkimer, the amount of such tax due and payable to the County of Herkimer shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law.

Where such property is situated both within Herkimer County and without the State, the amount due and payable in Herkimer County shall be determined in the manner prescribed in the second paragraph of such Section 260.

Section 6. Disposition of Taxes

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Herkimer during each month upon account of the tax imposed pursuant to this local law, after deduction of the necessary expenses of his office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of the County of

Herkimer and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the General Fund of the County of Herkimer for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the Commissioner.

Section 7. Expiration Date

The tax imposed by this local law shall be effective from December 1, 2018 to December 1, 2020.

Section 8. Effective Date

This local law shall become effective on the first day of December, 2018, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least thirty days prior to the date the local law shall take effect. Certified copies of any local law described in this section shall also be filed with the Herkimer County Clerk, the Secretary of State and the State Comptroller within five days after the local law is duly enacted.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 263

REPORT AND RESOLUTION FIXING PERCENTAGES WHICH THE ASSESSED VALUATION OF REAL PROPERTY BEAR TO THE FULL OR TRUE VALUATION OF THE VARIOUS TOWNS OF THE COUNTY AND THE CITY OF LITTLE FALLS

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of Real Property Tax Services, submitting the State Board established Herkimer County Equalization Rates to be used in the apportionment of the 2019 Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law, do respectfully report that we have examined said report and offer the following Resolution:

RESOLVED, that pursuant to Title 2 of Article 8 of the Real Property Tax Law the ratio of percentage which the assessed valuation of real property in each district bears to its full value is hereby established as follows:

County Equalization Rates for the 2018 Assessment Rolls for Municipalities in the County of Herkimer

City of Little Falls	20.00
Town of Columbia	90.00
Town of Danube	79.20
Town of Fairfield	76.00
Town of Frankfort	70.00
Town of German Flatts	80.00
Town of Herkimer	93.60
Town of Litchfield	90.00
Town of Little Falls	74.00
Town of Manheim	67.00
Town of Newport	100.50
Town of Norway	68.80
Town of Ohio	99.00
Town of Russia	100.00
Town of Salisbury	100.00
Town of Schuyler	88.40
Town of Stark	57.90
Town of Warren	63.00
Town of Webb	98.00
Town of Winfield	90.00

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 each town and the City of Little Falls.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 264

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF STARK TO PROVIDE ASSESSMENT SERVICES TO THE TOWN

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 22, 2018, Beth Sadlon, Director of the Real Property Tax Service Agency, has recommended to your Committee that a contract be renewed between the County of Herkimer and the Town of Stark whereby the County would provide assessment services to the Town for the sum of \$12.00 for each parcel on the final assessment roll for the Town; and

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

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement to provide assessment services to the Town of Stark for the period from October 1, 2018 through October 1, 2019, for the sum of \$12.00 for each parcel on the final assessment roll of the town, with the final form of said agreement 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 Town of Stark.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 265

REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR THE YOUTH PROGRAMS FOR 2018

**Sponsored by: Committee on County Planning and Development
Committee on Ways and Means**

WHEREAS, by letter dated August 7, 2018 from Regina Giacovelli, Executive Director of the Herkimer County Youth Bureau, this Legislature is advised that the New York State Office of Children and Family Services has approved Herkimer County's Resource Allocation Plan (RAP) for 2018, which includes requested State aid in the amount of \$74,437; and

WHEREAS, by said letter the Executive Director of the Herkimer County Youth Bureau, advises that the Youth Bureau now desires to enter into contracts for 2018 with local agencies for the implementation of the Youth Development Programs; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts, subject to reimbursement from the State of New York, with the following agencies in the amounts listed:

Youth Development Program - (100% state funded)

Little Falls YMCA, School's Out Scholarship Program - \$ 7,100

Little Falls YMCA, Unsupervised Youth Alternatives - \$4,600.00

Little Falls Family YMCA, 15 Jackson St, Little Falls NY, 13365

Catholic Charities of Herkimer County, Domestic Violence Program - \$4,000.00

Catholic Charities of Herkimer County, 61 West St, Ilion, NY 13357

Center for Family Life and Recovery, Short Term Prevention Services - \$6,940.00

Center for Family Life and Recovery, 502 Court St., Suite 401, Utica, NY 13502

Town of Russia Summer Recreation Program - \$500.00

c/o Frances Donley, Supervisor, PO Box 126, 8916 N. Main St., Poland, NY 13431

Herkimer Police Department – Juvenile Officer/School Resource Officer - \$1,000

c/o Chief Michael Jory, 120 Green Street, Herkimer, NY 13350

and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 266

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR THE RUNAWAY AND HOMELESS YOUTH PROGRAM FOR 2018

**Sponsored by: Committee on County Planning and Development
Committee on Ways and Means**

WHEREAS, by letter dated August 7, 2018 Regina Giacovelli, Executive Director of the Herkimer County Youth Bureau advises that the Youth Bureau now desires to enter into a contract for 2018 with Catholic Charities for the implementation of the Runaway and Homeless Youth Program, utilizing OCFA funding, Herkimer County funding and Catholic Charities funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract, subject to reimbursement from the State of New York, with the following agency in the amounts listed:

Runaway and Homeless Youth (60% state funding, 20% agency match, 20% county match)

Catholic Charities of Herkimer County, Runaway and Homeless Youth Program –

\$14,306.00 – state share,

\$ 4,769.00 - Catholic Charities match,

\$ 4,769.00 - Herkimer County match.

Total contract amount = \$23,844.00

and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 267

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 13 OF 2018 FOR CONTRACTS IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by Resolution No. 13 dated January 24, 2018, this Legislature approved contracts for the years 2018 and 2019 with various agencies to provide a variety of mental health services for county residents; and

WHEREAS, by letter dated August 20, 2018, Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend certain 2018-19 contracts to increase the amount with various agencies, as the agencies are receiving additional funding through State Aid; and

WHEREAS, said contracts shall be supported at the 100% state aid level; and, be it

WHEREAS, that by letter dated August 20, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that the 2018 budget be amended:

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts for the year 2018 with the following agencies to provide services to Herkimer County Mental Health Services and that the 2018 budget be amended to reflect said changes:

1. Upstate Cerebral Palsy Association
1020 Mary Street
Utica, NY 13501
For a contract sum of \$541,400
2. Herkimer ARC
333 South Main Street
Herkimer, NY 13350
For a contract sum of \$267,500
3. Catholic Charities
61 West Street
Ilion, NY 13357
For a contract sum of \$505,000

and, be it further

RESOLVED, that the 2018 budget is hereby amended as follows:

REVENUE:

A4322.3490, Contracted Mental Health, State Aid

From: \$1,550,000

To: \$1,633,273

EXPENSE:

A4322.44000-352, Contracted Mental Health, Contracted Agencies

From: \$1,550,000

To: \$1,633,273.

and, be it further

RESOLVED, that said above contracts shall be for the period of January, 2018 through December 31, 2019 so long as state funds for said purposes are available; and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 268

REPORT AND RESOLUTION ACCEPTING GRANT, AMENDING BUDGET AND ESTABLISHING ACCOUNT FOR RECEIPT OF HOMELAND SECURITY FUNDING

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated August 1, 2018, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of a request to accept grant funding and approve e-signature of the FY 2018 SHSP Homeland Security Grant in the amount of \$67,480.00, which will be used for the maintenance agreement of the Zetron CAD/Mapping program, to purchase a portable light tower unit and to purchase a new mask fit test machine at E-911; and

WHEREAS, by letter dated August 9, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested that Project EM02-12 be established for proper accounting of this funding and that the 2018 Budget to be amended as follows:

A3020A.4389H, Em. Mgt. HSG, State Aid, Project	From: \$0
	To: \$67,480
A3020A.22000, Em. Mgt. HSG, Other Equipment	From: \$0
	To: \$67,480.

now, therefore be it

RESOLVED, that this Legislature hereby accepts receipt of the FY 2018 SHSP Homeland Security Funding grant in the amount of \$67,480 for the maintenance agreement of the Zetron CAD/Mapping program, to purchase a portable light tower unit and to purchase a new mask fit test machine at E-911 and further authorizes the Chairman of the Legislature to e-sign the grant agreement; and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 269

REPORT AND RESOLUTION APPROVING AGREEMENT WITH BOCES TO INSTALL RADIO EQUIPMENT ON ANEY HILL TOWER SITE

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways & Means**

WHEREAS, by Resolution No. 210 of 2014, this Legislature authorized a lease agreement for a period of ten years with Mr. James F. Gage, to occupy space on a tower owned by American Tower of Boston, MA for the purpose of maintaining an 8' x 8' communications shelter and for Herkimer County to construct a 260 ft. communication tower and a 75 ft. x75 ft. compound and communications building; and

WHEREAS, by letter dated August 3, 2018, Matthew Palumbo, Director of Emergency Services has requested an agreement with BOCES for installation of school bus radio communication equipment at the Aney Hill tower site under the Statewide Interoperable Communications Grant guidelines, at no cost; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with BOCES for installation of school bus radio communication equipment at the Aney Hill tower site under the Statewide Interoperable Communications Grant guidelines, at no cost, for a period to commence upon full execution and shall continue until terminated and upon such terms and conditions as approved by 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, County Attorney and Director of Emergency Services.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 270

REPORT AND RESOLUTION AMENDING BUDGET AND AUTHORIZING CONTRACT IN CONNECTION WITH RECEIPT OF GRANT FUNDS FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated August 2, 2018, Christina Cain, Director of Public Health, has advised of receipt of a Public Health Emergency Preparedness Grant for the period from July 1, 2018 to June 30, 2019 in the amount of \$52,096 and requests a contract with the State of New York to provide reimbursement of expenses incurred by Herkimer County in the development of plans under said grant; and

WHEREAS, by letter dated August 9, 2018 from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2018 Operating Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the State of New York for a Public Health Emergency Preparedness Grant for the period from July 1, 2018 to June 30, 2019 in the amount of \$52,096, to provide reimbursement for expenses incurred by Herkimer County in the development of a Public Health Emergency Preparedness Plan; and, be it further

RESOLVED, that the 2018 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4188-4403-PH01-16, Bioterrorism	From:	\$0
		To:	\$52,096
Expense Account:	A4188.10000-PH01-16, Bioterrorism, Salaries	From:	\$0
		To:	\$42,225
	A4188.41000-PH01-16, Bioterrorism, Supplies	From:	\$0
		To:	\$7,271
	A4188.46000-PH01-16, Bioterrorism, Misc. Exp.	From:	\$0
		To:	\$2,100
	A4188-46100-PH01-16, Bioterrorism, Mileage/Travel	From:	\$0
		To:	\$500

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: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 271

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred communications from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated August 9, 2018 and August 15, 2018, submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and 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 sum from and to the following accounts in the 2018 Budget:

Transfer:

\$40,000	From: A2960.44000, Education of Handicapped Children, Contracted Services
	To: A4010.46000, Public Health, Miscellaneous Expense
\$18,000	From: A6140.40000 Safety Net, Contractual
	To: A6119B.40000, Committee of Handicapped, Contractual

and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 272

REPORT AND RESOLUTION APPROVING FENCE REPAIR PROJECT

**Sponsored by: Committee on County Properties
Committee on Ways & Means**

WHEREAS, by letter dated August 20, 2018, Sheri A. Ferdula, Budget Officer, has requested approval for a fence project in the Washington Street parking lot for necessary replacements and repairs; and

WHEREAS, on May 5, 2018, your committees approved the hiring of Rapasadi Fence Repair and Installation Service for this project at a cost of \$22,640, with a 50% down payment; now, therefore be it

RESOLVED, that the project with Rapasadi Fence Repair and Installation Service, 2016 Lake Road, Oneida, NY 13421 be approved at a cost of \$22,640, with a 50% down payment; and, be it further

RESOLVED, that certified copies be sent to the County Treasurer, Auditor, Budget Officer and Rapasadi Fence Repair and Installation Service.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 273

REPORT AND RESOLUTION AUTHORIZING BUILDERS RISK COVERAGE FOR THE HERKIMER COUNTY CORRECTIONAL FACILITY PROJECT

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature is informed by communication from Sheri Ferdula, Budget Officer and Purchasing Agent, dated August 9, 2018 of a request for Builders Risk coverage for the Herkimer County Correctional Facility Project; and

WHEREAS, a quote has been received from Hanover Insurance Company at a cost of \$23,150 for a \$25,000,000 policy; and

WHEREAS, builders risk insurance is necessary to cover the replacement costs of labor and materials during the 20 month construction phase; once the building has been erected and a certificate of occupancy is obtained, the facility will be added to the County's existing property and liability policies; now, therefore be it

RESOLVED, that the quote from Hanover Insurance Company for Builders Risk Coverage for the Herkimer County Correctional Facility is hereby approved at a cost of \$23,150 for a \$25,000,000 policy; 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 purchase said insurance coverage; and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 274

REPORT AND RESOLUTION ACCEPTING CONTRACT PROPOSAL FOR ELEVATOR MAINTENANCE OF COUNTY BUILDINGS

**Sponsored by: Committee on County Properties
Committee on Ways and Means**

WHEREAS, by letter dated August 9, 2018, Sheri Ferdula, Budget Officer and Purchasing Agent, has advised that Requests for Proposals were received for elevator maintenance for all Herkimer County buildings; and

WHEREAS, the Budget Officer and Purchasing Agent further advises that the lowest responsible proposal received was from ThyssenKrupp of East Syracuse, New York, in the amount of \$25,873.20 per year, which includes full coverage repair and/or replacement for all components worn due to normal wear, to include control and landing positioning systems, signal fixtures, machines, drives, motors, wire ropes, poser units, pumps, valves, jacks, hoistway door, frames, platforms and safety mechanisms;
and

WHEREAS, sufficient funds have been budgeted for this purpose; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby accepts the proposal for elevator maintenance for all of Herkimer County buildings to ThyssenKrupp of East Syracuse, New York, in the amount of \$25,873.20 per year, for a five year term as follows:

	<u>Start Date</u>
Jail	January 1, 2019
County Office Building	October 1, 2018
New County Office Building	June 1, 2019

and, be it further

RESOLVED, that said contract to be subject to the approval of the Herkimer County Attorney;
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, Maintenance Foreman and ThyssenKrupp.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 275

REPORT AND RESOLUTION ACCEPTING GRANT FOR HOMELAND SECURITY FUNDING FOR SHERIFF'S DEPARTMENT

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter received August 21, 2018, from Christopher P. Farber, Sheriff, this Legislature is advised of the receipt of a FY2018 SLETPP grant from the Department of Homeland Security in the amount of \$22,494.00; such grant has been submitted for purchase of air cards for local municipalities through Verizon and which grant is under the Law Enforcement Terrorism Prevention Program; and

WHEREAS, by letter dated August 21, 2018, Sheri A. Ferdula, Budget Officer, has advised the 2018 budget will need to be amended for acceptance of the grant; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign the contract with the New York State Office of Homeland Security to receive a FY2018 SLETPP grant through the Homeland Security Grant Program under the Law Enforcement Terrorism Prevention Program; and, be it further

RESOLVED, that the 2018 Budget be amended as follows:

REVENUE:

A3110A.4389H, Homeland Security Grant, Federal Aid

From: \$0

To: \$22,494

APPROPRIATION:

A3110A.42100, Homeland Security Grant, Telephone

From: \$0

To: \$22,494

and, be it further,

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 276

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III FOR POSITION CHANGES IN THE OFFICE FOR THE AGING DEPARTMENT

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated August 8, 2018, Kathy L. Fox, Director of the Office for the Aging has requested that a temporary full time position of Aging Services Assistant, established and extended twice, become a permanent position; and

WHEREAS, by letter dated August 24, 2018, from Steven Billings, Personnel Officer, your committees have been advised that the appropriate salary for said position in Account A6777 for Aging Services Assistant should be \$30,361 base pay and will be effective as of September 12, 2018; and

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

RESOLVED, that Salary Schedule III be amended to delete a position of temporary full time Aging Services Assistant and establish a position of permanent Aging Services Assistant in Account A6777 at \$30,361 base pay in the 2018 Salary Schedule, effective September 12, 2018; and, be it further

RESOLVED, that said position is 100% funded by the Community Foundation Falls Prevention grant, HEAP and the Balance Incentive Program; said position will continue so long as funding continues; 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 Office for the Aging.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 276

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III FOR POSITION CHANGES IN THE OFFICE FOR THE AGING DEPARTMENT

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated August 8, 2018, Kathy L. Fox, Director of the Office for the Aging has requested that a temporary full time position of Aging Services Assistant, established and extended twice, become a permanent position; and

WHEREAS, by letter dated August 24, 2018, from Steven Billings, Personnel Officer, your committees have been advised that the appropriate salary for said position in Account A6777 for Aging Services Assistant should be \$30,361 base pay and will be effective as of September 12, 2018; and

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

RESOLVED, that Salary Schedule III be amended to delete a position of temporary full time Aging Services Assistant and establish a position of permanent Aging Services Assistant in Account A6777 at \$30,361 base pay in the 2018 Salary Schedule, effective September 12, 2018; and, be it further

RESOLVED, that said position is 100% funded by the Community Foundation Falls Prevention grant, HEAP and the Balance Incentive Program; said position will continue so long as funding continues; 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 Office for the Aging.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 277

REPORT AND RESOLUTION APPROVING A CONTRACT FOR SERVICES UNDER TITLE IIID IN THE HERKIMER COUNTY OFFICE FOR THE AGING

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated August 24, 2018, Kathy L. Fox, Director of the Office for the Aging, requests a contract be entered into with the Parkway Center to provide services under the Aging Mastery program which provides evidenced based health promotion activities for individuals 60 and over, including 10 sessions on Navigating Longer Lives, Exercise & You, Sleep, Healthy Eating & Hydration, Financial Fitness, Advance Planning, Healthy Relationships, Medication Management, Community Engagement, and Falls Prevention; and

WHEREAS, that letter further advised the sessions will be at a cost of \$100.00 per class, per person up to an amount of \$3,000 under the Title IIID Program of the Herkimer County Office for Aging, with a 10% local match; the contract would be for the period of September 12, 2018 to December 31, 2019; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract for the period commencing September 12, 2018 to December 31, 2019 with the Parkway Center, 220 Memorial Parkway, Utica, New York 13501, to provide services to the Herkimer County Office for the Aging for the provision of classes for individuals 60 and over at a cost of \$100.00 per class, up to an amount of \$3,000; with funding to be provided from the Title IIID Evidenced Based Health Program and a 10% local match; 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 Parkway Center.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 278

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III FOR POSITION CHANGE IN EMPLOYMENT & TRAINING

**Sponsored by: Committee on County Planning & Development
Committee on Ways and Means**

WHEREAS, by letter dated August 14, 2018, Karin Piseck, Director of Employment & Training has requested that a full time position of Employment Specialist be established in Salary Schedule III at the hire rate of \$39,941; and

WHEREAS, by letter dated August 24, 2018, from Steven Billings, Personnel Officer, your committees have been advised that the appropriate salary for said position in Account CD6292 for the Employment Specialist is \$39,941 hire rate and will be effective as of September 12, 2018; and

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

RESOLVED, that Salary Schedule III be amended to establish a position of Employment Specialist in Account CD6292 at the hire rate of \$39,941 in the 2018 Salary Schedule, effective September 12, 2018; and, be it further

RESOLVED, that said position is 100% funded, requiring no county funds; said position will continue so long as funding continues; 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 Employment & Training.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 279

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF LEASE AGREEMENT FOR ONE STOP CENTER

**Sponsored by: Committee on County Planning and Development
Committee on Ways and Means**

WHEREAS, pursuant to Resolution No. 101 of 2001, the County of Herkimer entered into a three year lease agreement with Cale Development Company, Inc. of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One Stop Career Center, which lease was renewed by resolution thereafter most recently by Resolution No. 237 of 2017 for a one year period; and

WHEREAS, by letter dated August 14, 2018, Karin Piseck, Employment and Training Director, has requested a new lease agreement be entered into with Castle Enterprises of Herkimer, LTD (formerly Cale Development Co., Inc.) of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One Stop Career Center at an annual rent of \$130,436.82, to be paid in monthly installments of \$10,869.74; and

WHEREAS, said monthly rent shall be offset by payments made pursuant to agreements with partners in the Working Solutions which include the State Department of Labor, Herkimer County BOCES, Herkimer County Community College, Herkimer County Department of Social Services, ACCES-VR, Staffworks, Bassett Healthcare and Morphotrust; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a lease agreement of the former Wards Building located at 320 North Prospect Street, Herkimer, New York, with Castle Enterprises of Herkimer, LTD, for the purposes of housing the Working Solutions One Stop Career Center, under the following terms and conditions:

- That the lease agreement shall be for a term of three years effective from October 1, 2018 to September 30, 2021;
- That the lease agreement shall reflect an occupied square footage of 9,598;
- That the price shall be \$10.44/square foot for base rent plus an additional \$3.15/square foot to cover taxes, assessments and utilities, for a total of \$13.59/square foot, with total annual rent to be \$130,436.82 to be paid in monthly installments of \$10,869.74, with a final payment of \$10,869.68;
- That tenant does repairs that are under \$150; landlord responsible for all others;

Page II

- 60 designated parking spaces
- Landlord to maintain parking lot, including snow and ice removal;
- That the lease agreement shall 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, Employment and Training Director and Castle Enterprises of Herkimer, LTD.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 280

REPORT AND RESOLUTION AUTHORIZING OFFICE SPACE PERMIT AGREEMENT WITH STAFFWORKS

**Sponsored by: Committee on County Planning and Development
Committee on Ways and Means**

WHEREAS, by letter dated August 16, 2018 from Karin Piseck, Director of Employment and Training, your Committee has been advised of a request to enter into an office space permit agreement with Staffworks 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 September 1, 2018 through August 31, 2019 and would provide 2 cubicles of office space in the Working Solutions One Stop Center for use by Staffworks for the purpose of assisting and serving its customers, with payment to the County to be in the amount of \$14,000 annually, with quarterly payments of \$3,500; 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 with Staffworks, 600 French Road, New Hartford, New York 13413, 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 Staffworks.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 281

REPORT AND RESOLUTION AUTHORIZING HERKIMER MADISON ONEIDA WORKFORCE DEVELOPMENT BOARD WIOA TITLE 1 COMPLAINT/GRIEVANCE PROCEDURE

Sponsored by: Committee on County Planning and Development

WHEREAS, by letter dated August 23, 2018 from Karin Piseck, Director of Employment and Training, your Committee has been advised of a policy request for a WIOA Title 1 Complaint/Grievance procedure for all direct recipients of WIOA funds who must be given information of the formal procedure to follow regarding a complaint resolution process should they not be satisfied with services that have been provided to them; now, therefore be it

RESOLVED, that Herkimer County hereby adopts the Herkimer Madison Oneida Workforce Development Board WIOA Title 1 Complaint/Grievance Procedure; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the Policy on behalf of the County of Herkimer, 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 certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Director of Employment and Training.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 282

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH CATHOLIC CHARITIES OF HERKIMER COUNTY AND THE DEPARTMENT OF SOCIAL SERVICES FOR A YOUTH VIOLENCE PREVENTION PROGRAM FOR SCHOOLS IN HERKIMER COUNTY

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by Resolution No. 147 for the year 2010, this Legislature authorized a contract between Catholic Charities of Herkimer County and the Herkimer County Department of Social Services for the provision of the TREATY Program (Teaching Reconciliation in Education to Administrators, Teachers and Youth) in an effort to help reduce the threat of bullying and youth violence in local schools; and

WHEREAS, said contract has been renewed each year, the most recent being by Resolution No. 218 of 2018; and

WHEREAS, by letter dated July 30, 2018 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into an extension of said contract with Catholic Charities of Herkimer County, to provide said TREATY Program for the 2018-2019 school year, at a total contract cost of \$43,000; now, therefore, be it

RESOLVED, that this Legislature hereby approves an extension of a contract with Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of the TREATY Program for the 2018-2019 school year to help control the threat of youth violence in schools, at a cost of \$43,000; and, be it further

RESOLVED, that under this contract sufficient funds have been budgeted and all schools in Herkimer County will be invited to participate in said TREATY Program; 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, Commissioner of Social Services, Executive Director of the Youth Bureau and Catholic Charities of Herkimer County.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 283

REPORT AND RESOLUTION AUTHORIZING SUBMISSION OF HERKIMER COUNTY RAISE THE AGE FISCAL PLAN BY THE COMMISSIONER OF SOCIAL SERVICES TO THE NEW YORK STATE DIVISION OF BUDGET

**Sponsored by: Committee on Human Resources
Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, the enacted 2017- 18 NYS Budget includes provisions to raise the age of criminal responsibility for persons aged 16 and 17 to the age of eighteen by October 1, 2019; the overarching purpose of this change is to protect that particular class of youth from adult incarceration, offer more rehabilitative services, and reduce recidivism, the process will be phased in over two years in the following manner:

- On October 1, 2018 the law takes effect for 16 year olds.
- On October 1, 2019 the law takes effect for 17 year olds.

and,

WHEREAS, raising the presumptive age of juvenile accountability will likely impact many of our county agencies including, but not limited to Probation, Social Services, Mental Health, Sheriff, District Attorney, County Attorney, and the court system; it also will impact our placement agencies specifically due to the changes in the levels of care required for the new category of offender, the Adolescent Offender (AO); and

WHEREAS, NYS has established 100% reimbursement for incremental costs incurred by districts related to RAISE THE AGE, this reimbursement is governed by three tests for the counties as follows: 1. Adherence to the tax cap will secure reimbursement 2. Fiscal eligibility under the Financial Restructuring Boards criteria or fiscal distress designation by the Office of the State Comptroller secures reimbursement or if neither item 1 or 2 apply, the Division of Budget is authorized to waive the local share if the county can demonstrate financial hardship; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the Commissioner of Social Services to complete and submit the initial Herkimer County Raise the Age Fiscal Plan to the Division of Budget for approval and to submit any plan amendments as appropriate; and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 284

REPORT AND RESOLUTION AUTHORIZING ESTABLISHMENT OF A SERVICE PROVISIONS FOR INDIVIDUAL NEEDS (SPIN) CONTRACT WITH KIDS ONEIDA IN RELATION TO RAISE THE AGE PROGRAM IMPLEMENTATION

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, Resolution No. 283 adopted this date, authorized the Commissioner of Social Services to complete and submit the initial Herkimer County Raise the Age Fiscal Plan to the Division of Budget for approval, in compliance recent legislation that will raise the presumptive age of criminal responsibility for persons sixteen and seventeen years old in New York State beginning October 1, 2018; and

WHEREAS, by letter dated August 16, 2018, Timothy Seymour, Commissioner of Social Services has requested the establishment of a Service Provisions for Individual Needs (SPIN) contract with Kids Oneida, 310 Main Street, Utica, NY 13501 in the amount of \$36,690.50 for the period October 1, 2018 through December 31, 2019; the contract would be specific to the needs created by the Raise the Age legislation and would include a part time SPIN Coordinator whose responsibility would be to facilitate timely access to all SPIN Services, with communication with the family to occur within 24 hours of notification and contact with the Service Provider within 48 hours of assignment; and

WHEREAS, that letter further stated Juvenile Justice specific intervention included in this service would include, but not be limited to a Family Engagement Specialist, Vocational/Training Services, Skill Building, Mentoring and Family Therapy; costs associated with this agreement would be included in Herkimer County's Raise the Age fiscal plan for reimbursement; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Kids Oneida, Inc., 310 Main St., Utica, New York, 13501, in the amount of \$36,690.50 to meet the Raise the Age requirements for the establishment of a Service Provisions for Individual Needs (SPIN) program for the period October 1, 2018 through December 31, 2019; and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 285

REPORT AND RESOLUTION APPROVING HERKIMER COUNTY COMMUNITY COLLEGE RESOLUTION AWARDDING BID FOR TECHNOLOGY CENTER FLASHING REPAIRS

**Sponsored by: Committee on Education
Committee on County Properties
Committee on Ways and Means**

WHEREAS, by request dated September 4, 2018 from Nicholas F. Laino, Senior Vice President for Administration and Finance at Herkimer County Community College, this Legislature is advised that at its meeting held on August 31, 2018, the College Board of Trustees approved Resolution No. 17-28, awarding a bid for the Technology Center flashing repairs; and

WHEREAS, in accordance with General Municipal Law, bids were solicited for the General Contractor for the Technology Center flashing repairs and opened on July 10, 2018; Cornerstone Restoration, Nepera Place, Yonkers, NY 10703, was the low bidder in the amount of \$145,000; now, therefore, be it

RESOLVED, that Resolution No. 17-28 adopted on August 31, 2018, by the Herkimer County Community College Board of Trustees is hereby approved to award a bid to Cornerstone Restoration, Nepera Place, Yonkers, NY 10703, as the low bidder in the amount of \$145,000 for the Technology Center flashing repairs at Herkimer County Community College; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, President and Senior Vice President for Administration and Finance at Herkimer County Community College and Cornerstone Restoration.

Dated: September 12, 2018.

RAYMOND JOHNSON

WILLIAM E. KEELER, Sr.

VINCENT J. BONO

PETER F. MANNO

Kurt J. Ackerman

Mark Gaworecki
Committee on County Properties



HERKIMER COUNTY LEGISLATURE

No. 286

REPORT AND RESOLUTION ACCEPTING AGRICULTURAL FARMLAND PROTECTION GRANT, AUTHORIZING E SIGNATURE, CREATING ACCOUNTS, AMENDING 2018 BUDGET AND TRANSFERRING FUNDS

**Sponsored by: Committee on Natural Resources
Committee on Ways and Means**

WHEREAS, by Resolution No. 323 of 2017, this Legislature approved application for a Agricultural Farmland Protection Grant; and

WHEREAS, by letter dated August 9, 2018, Sheri A. Ferdula, Budget Officer, has requested authorization for the Chairman of the Legislature to sign and accept the funding in the amount of \$28,500 for the Agriculture Farmland Protection Board Grant from the New York State Department of Agriculture and Markets; and

WHEREAS, letter further requests creation of new accounts, e-signature, a transfer and a budget amendment; now, therefore be it

RESOLVED, that this Legislature accepts the New York State Department of Agriculture and Markets grant and authorizes the Chairman to execute the same by electronic signature; and, be it further

RESOLVED, that the creation of new accounts, a transfer and a budget amendment are as follows:

New Accounts with a Budget Amendment:

A8752.3989A, Farmland Protection, State Aid	From: \$0
	To: \$28,500
A8752.40000, Farmland Protection, Contractual	From: \$0
	To: \$28,500

Transfer of Funds:

\$7,700	From: A6787.40000, Farmland Protection, Contractual
	To: A8752.40000, Farmland Protection, Contractual.

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 287

RESOLUTION PROVIDING NOTICE OF AGRICULTURAL DISTRICT REVIEW

Sponsored by: Committee on Natural Resources

WHEREAS, certain agricultural districts have been established in this County pursuant to Article 25-AA of the Agriculture and Markets Law; and

WHEREAS, the statute requires an eight year review of said agricultural districts; and

WHEREAS, Herkimer County Agricultural Districts No. 2 and No. 3 are scheduled for district review; and

WHEREAS, it has also been proposed that all existing agricultural districts in Herkimer County be consolidated during this process; now therefore, be it

RESOLVED, that the County of Herkimer shall provide notice of such district review and proposed consolidation by publishing a notice in the Times Telegram, and by posting a notice on the homepage of the County's website, posting notice in at least five conspicuous places within the County, and providing notice in writing by first class mail to those municipalities whose territory encompasses the proposed district, with said notice to conform to the requirements contained in Section 303-a of the Agriculture and Markets Law; and, be it further

RESOLVED, that the County Agricultural and Farmland Protection Board prepare a report within 45 days concerning the matters specified in Section 303-a of the Agriculture and Markets Law; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Herkimer County Agricultural and Farmland Protection Board, Herkimer County Soil and Water Conservation District, Cornell Cooperative Extension Services, and Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: September 12, 2018.

**Public
Notice**

Please take notice that the County of Herkimer is conducting a district review of existing Agricultural District No. 2 and Agricultural District No. 3, and proposing the consolidation of all Agricultural Districts in Herkimer County into one district. District No. 2 and District No. 3 are located in the Towns of Columbia, Frankfort, Litchfield, Winfield, & the Village of West Winfield (District #2); Danube, German Flatts, Little Falls, Manheim, Stark, & the City of Little Falls (District #3) and the total area of those Districts is 26,884.6 acres. The consolidated district shall consolidate all districts located in Herkimer County, which are located in the Towns of Columbia, Danube, Fairfield, Frankfort, German Flatts, Herkimer, Litchfield, Little Falls, Manheim, Newport, Norway, Ohio, Russia, Salisbury, Schuyler, Stark, Warren, & Winfield, the Villages of Mohawk, Newport, & Poland, and the City of Little Falls. The Consolidated District's total area will be 57,328.6 acres. A map of the proposed consolidated district will be on file and open to public inspection in the Office of the Herkimer County Clerk, the Office of the Clerk of the Herkimer County Legislature, Herkimer County Soil and Water Conservation District office, and the Herkimer-Oneida Counties Comprehensive Planning Program office. Municipalities and landowners within the proposed consolidated district may propose modifications of the district by filing such proposal with the Clerk of the County Legislature within 30 days of the publication and posting and mailing of this notice.

September 13, 2018.

Sally I. Deming, Clerk
Herkimer County Legislature



HERKIMER COUNTY LEGISLATURE

No. 288

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT REGARDING MUNICIPAL HEALTHCARE FINANCING COLLECTIVE

Sponsored by: Committee on Ways and Means

WHEREAS, a proposal has been received to create an Inter-municipal Cooperative for the oversight, administration and delivery of stop loss insurance currently administered by several municipalities, which could potentially be more cost effective for purchasing stop loss insurance; and

WHEREAS, five municipal entities, including the Greater Tompkins County Municipal Health Insurance Consortium, St. Lawrence County, Ulster County, Columbia County and Herkimer County wish to explore and potentially participate in such a program; and

WHEREAS, by entering into an Intermunicipal Agreement, Herkimer County would next receive a stop loss carrier quote and receive a proposed written consulting agreement from a stop loss consultant; and the county would not be required to move forward until it receives and acceptance of the stop loss carrier quote; now, therefore be it

RESOLVED, that the execution by the Chairman of this Legislature of an agreement containing the above provisions is hereby approved; and, be it further

RESOLVED, that the acceptance of a stop loss carrier quote, which would make the County of Herkimer a member of the Municipal Healthcare Finance Collective may be approved by further action of this Legislature; and, be it further

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

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 289

RESOLUTION AUTHORIZING FURTHER EXTENSION OF TIME TO COMPLETE PURCHASE OF IN REM PARCEL

Sponsored by: Committee on County Properties

WHEREAS, an auction was held on June 2, 2018 of the parcels taken by Herkimer County in connection with In Rem foreclosure for the 2016 taxes; and

WHEREAS, purchasers at that auction had until June 22, 2018 to complete the purchase by paying the balance due; and

WHEREAS, by Resolution No. 258, adopted on August 8, 2018, the bidder on the parcel located at 95 West Mill Street in the City of Little Falls, having tax map number 114.68-7-41, was granted an extension of time to complete this purchase in order to attempt resolve title issues in connection with the parcel; and

WHEREAS, the purchasers have requested a further extension to November 30, 2018, because they are commencing legal proceedings to obtain a deed from a necessary party; now, therefore be it

RESOLVED, that the successful purchasers at auction of the above described parcel shall have a further extension of time to complete the above described purchase, to November 30, 2018, no later than 4:00 p.m., subject to the original auction terms and procedures; and, be it further

RESOLVED, that because of the question regarding the title, if the purchasers have not made payment in full by that date, the purchasers' deposit shall be returned, and the purchasers shall not be prohibited from bidding on parcels in future In Rem auctions or sales; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Auditor, County Property Agent, and Gerard J. Snyder, Esq.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 290

RESOLUTION AMENDING RESOLUTION NO. 259 OF 2018 APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

Sponsored by: Committee on Ways and Means

RESOLVED, that Resolution No. 259 duly adopted by the Herkimer County Legislature on August 9, 2018, which established the standard work days for elected and appointed officials to report days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body, is hereby amended to add the following officials:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials							
Legislator	Kurt J. Ackerman	[REDACTED]	[REDACTED]	6	1/1/18-12-31-19	N	5.14

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 291

REPORT AND RESOLUTION APPROVING 2019 STOP-DWI PLAN

**Sponsored by: Committee on Public Safety/Emergency Management
 Committee on Ways and Means**

WHEREAS, the New York State Legislature, by Chapter 913 of the Laws of 1981, established a Special Traffic Options Program for Driving While Intoxicated; and

WHEREAS, the said Law provides for the establishment of such a program by the counties of the State of New York; and

WHEREAS, the Herkimer County Legislature authorized by Resolution No. 270 for the year 1981, participation by the County of Herkimer in the STOP-DWI Program; and

WHEREAS, by letter dated September 7, 2018, Michael L. Edwards, STOP-DWI Coordinator, has submitted the STOP-DWI Plan for the year 2019 for approval by this Legislature; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby approves the STOP-DWI Plan for 2019;
2. That the funds accrued in the year 2018 and prior thereto be expended for the continuance of the STOP-DWI Program;
3. That the STOP-DWI Coordinator and Advisory Board submit timely reports regarding revenue obtained and expended within limits previously approved, to the appropriate committees of the County Legislature;
4. That the previous resolutions regarding the STOP-DWI Program be continued as resolved;
5. That certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, STOP-DWI Coordinator and the New York State Department of Motor Vehicles.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 292

RESOLUTION APPROVING THE COUNTY-WIDE SHARED SERVICES PROPERTY TAX SAVINGS PLAN SUBMITTED AS ATTACHED, IN ACCORDANCE WITH PART BBB OF CHAPTER 59 OF THE NEW YORK STATE LAWS OF 2017

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Ways and Means**

WHEREAS, in accordance with Part BBB of Chapter 59 of the New York State Laws of 2017, Section 4(b), the chief executive officer of the county shall submit the "County-Wide Shared Services Property Tax Savings Plan" (the Plan) to the County Legislature; and

WHEREAS, such Plan shall be accompanied by a certification as to the accuracy of the savings contained therein; and

WHEREAS, in accordance with Part BBB of Chapter 59 of the New York State Laws of 2017, Section 4(b), the County Legislature shall review and consider the Plan; now, therefore be it

RESOLVED, that the Herkimer County Legislature has considered and approves the County-Wide Shared Services Property Tax Saving Plan as submitted.

Dated: September 12, 2018.



HERKIMER COUNTY LEGISLATURE

No. 293

RESOLUTION AUTHORIZING AN APPLICATION AND SETTING A PUBLIC HEARING IN CONNECTION WITH APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Sponsored by: Committee on County Planning & Development

WHEREAS, by letter dated September 12, 2018, from John J. Piseck, Executive Director of the Herkimer County Industrial Development Agency has requested approval to submit an application for an economic development assistance grant on behalf of the Turbo Machined Products LLC in the amount of \$225,000; and

WHEREAS, it is necessary that a public hearing be held to hear public comment in regard to such application; now, therefore be it

RESOLVED, that the above grant application is hereby approved; and, be it further

RESOLVED, that a Public Hearing be held by the Committee on County Planning and Development on the 28th day of September, 2018, at 9:30 a.m. in the Legislature Chambers of the County Office Building in the Village of Herkimer, New York, for the purpose of hearing public comment upon the aforesaid application; and, be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Executive Director of the Herkimer County Industrial Development Agency.

Dated: September 12, 2018.