

MINUTES
Herkimer County Legislature
Second Quarter – Second Day
Wednesday, May 16, 2018
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 7:00 p.m.

Chairman Peplinski called on Legislator Bob Hollum 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.

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

Present: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Weakley (15).

Absent: Malta, Russell (2).

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 April 25, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Legislator Shaw stated the Department of Social Services held an appreciation dinner for the Foster Parents of Herkimer County which was very well attended. County Administrator Wallace stated thanks for all those in Foster Care.

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. With no requests, Chairman Peplinski continued with the session.

No. 223 –A communication was received from Capital District OTB submitting Financial report for November, 2017. Filed.

No. 224 - A communication was received from Capital District OTB submitting audited financial statements for 2016 & 2017. Filed.

No. 225 - A communication was received from Capital District OTB submitting financial report for January, 2018. Filed.

No. 226 - A communication was received from Capital District OTB submitting financial report for February, 2018. Filed

No. 227 - A communication was received from the County Auditor advising of Refund of Taxes. Filed.

No. 228 - A communication was received from the County Treasurer submitting Land Auction Brochure. Filed.

No. 229 - A communication was received from the Personnel Officer submitting copy of Collective Bargaining Agreement between County of Herkimer and UPSEU. Filed.

No. 230 - A communication was received from the Highway Superintendent submitting projects for approval. Referred to the Committee on Highways and Ways & Means.

No. 231 - A communication was received from Sheriff Farber requesting agreement for Boat Contract. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 232 - A communication was received from the Exec. Dir. HC HealthNet advising of Increase in Grant Funding. Referred to the Committees on Human Resources and Ways & Means.

No. 233 - A communication was received from the Budget Officer requesting Budget Amendment for HealthNet Grant. Referred to the Committees on Human Resources and Ways & Means.

No. 234 - A communication was received from the Dir. Of Community Services requesting amendment to salary schedule. Referred to the Committees on Human Resources and Ways & Means.

No. 235 - A communication was received from the Personnel Officer advising of Changes to Salary Schedule in Mental Health. Referred to the Committees on Human Resources and Ways & Means.

No. 236 - A communication was received from Sheriff Farber submitting Monthly Report for January, 2018. Referred to the Committee on Public Safety/Emergency Management.

No. 237 - A communication was received from Sheriff Farber submitting Monthly Report for February, 2018. Referred to the Committee on Public Safety/Emergency Management.

No. 238 - A communication was received from the Director of Emergency Services requesting Purchase of Systems for Towers. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 239 - A communication was received from the County Clerk submitting Semi-Annual Mortgage Tax Report. Referred to the Committee on Ways & Means.

No. 240 - A communication was received from the HC Treasurer submitting Apportionment of Mortgage Tax. Referred to the Committee on Ways & Means.

No. 241 - A communication was received from the STOP-DWI Coordinator requesting Transfer of Funds. Referred to the Committee on Ways & Means.

No. 242 - A communication was received from the Budget Officer submitting Transfer Request for STOP-DWI. Referred to the Committee on Ways & Means.

No. 243 - A communication was received from the Sewer District amending Resolution for Overhead Door Replacement. Referred to the Committees on Natural Resources and Ways & Means.

No. 244 - A communication was received from HCCC submitting award of Bid for Roof Project. Referred to the Committees on Education, County Properties and Ways & Means.

No. 245 - A communication was received from HCCC submitting award of Contract for Replacement of Turf. Referred to the Committees on Education, County Properties and Ways & Means.

No. 246 - A communication was received from HCCC submitting Award Contract of Smart Grid Lab Equipment. Referred to the Committees on Education, County Properties and Ways & Means.

No. 247 - A communication was received from the County Attorney requesting Authorization for Additional Consulting Services. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 248 - A communication was received from the Dir. Youth Bureau submitting Plan for approval. Referred to the Committee on County Planning & Development.

No. 249 - A communication was received from the County Attorney submitting Abstract of Title for P&C Property. Filed.

No. 250 - A communication was received from the Ex. Director, Herkimer County IDA submitting request for Public Hearing. Referred to the Committee on County Planning & Development.

No. 251 - A communication was received from the Ex. Director, Herkimer County IDA requesting Resolution for Park. Referred to the Committee on County Planning & Development.

No. 252 – A communication was received from the Budget Officer/Purchasing Agent - Recommending Rejection of cell Package. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 253 – A communication was received from Joanna L. Lanphier gratitude to the members of the Legislature, County Administrator and Director, Office for the Aging, for the programs and in particular the Spring Clean Up service. File.

With that being all the communications, the Chairman continued with Reports and Resolutions on the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 188 sponsored by the Committee on Highways approving projects under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Shaw, seconded by Mr. Keeler, Report and Resolution No. 189 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means approving boat housing contract was handed up; discussion was held; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 190 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending budget in connection with Herkimer County HealthNet Inc. was handed up, voted on and adopted by voice vote:

Ayes: (15)

Against: None

Absent: Malta, Russell (2).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 191 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. III for position changes in Herkimer County Mental Health Department was handed up; voted on and adopted by the following roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Weakley (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Bono, seconded by Mr. Gaworecki, Report and Resolution No. 192 sponsored by the Committees on Public Safety/Emergency Management and Ways and Means approving purchases for installation on Communication Towers through Interoperable Grant funding was handed up: voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Shaw, seconded by Mr. Bono, Report and Resolution No. 193 sponsored by the Committee on Ways & Means apportioning Mortgage Tax was handed up; voted on and adopted by the following roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Weakley (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 194 sponsored by the Committee on Ways & Means authorizing transfer of funds was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Campione, seconded by Mr. Schrader, Report and Resolution No. 195 sponsored by the Committee on Natural Resources and Committee on Ways & Means amend Resolution No. 101 of 2018 and approving Sewer District Resolution for Overhead Door Replacement was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Manno, seconded by Mr. Ackerman, Report and Resolution No. 196 sponsored by the Committees on Education, County Properties and Committee on Ways & Means approving Herkimer County Community College Resolution recommending bid for Roof Replacement on the Robert McLaughlin Community Center and Technology Center was handed up; discussion held; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Manno, seconded by Mr. Ackerman, Report and Resolution No. 197 sponsored by the Committees on Education, County Properties and Committee on Ways & Means approving Herkimer County Community College Resolution recommending bid for replacement of turf at Wehrum Stadium was handed up; discussion was held; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Manno, seconded by Mr. Gaworecki, Report and Resolution No. 198 sponsored by the Committees on Education, County Properties and Committee on Ways & Means approving Herkimer County Community College Resolution for Smart Grid Lab Equipment was handed up; discussion held; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 199 sponsored by the Committee on County Planning & Development authorizing Public Hearing in connection with application for Community Development Block Grant was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 200 sponsored by the Committees on County Planning & Development and Ways & Means Approving Grant for Development of the Manheim Industrial Park was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 201 sponsored by the Committee on Administration/Veterans' Affairs Opposing Assembly Bill A10428 that proposes the elimination of Marksmanship and Shooting Programs in Public Schools was handed up; discussion was held; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Schrader, seconded by Mr. Stephens, Resolution No. 202 sponsored by the Committee on Administration/Veterans' Affairs Supporting State Senate Bill S8210 which would

Increase State Contributions to Veterans' Services Agencies was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

On motion of Mr. Bono, seconded by Mr. Campione, Report and Resolution No. 203 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means authorizing agreement with Paul K. Hatzinger, Inc for Consulting Services was handed up; voted on and adopted by voice vote:

Ayes: (12).

Against: Schrader, Brezinski, Manno (3).

Absent: Malta, Russell (2).

On motion of Mr. Bono, seconded by Mr. Johnson, Report and Resolution No. 204 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means Rejecting Bids for Precast Concrete Cells for the Future Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Malta, Russell (2).

Pursuant to Rule 6, Chairman Peplinski asked if any members of the Legislature wished to comment. With no further comment, Chairman Peplinski requested a motion to adjourn the meeting.

At 7:15 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, June 13, 2018 at 7:00 p.m.

Sally I. Deming, Clerk



HERKIMER COUNTY LEGISLATURE

No. 188

REPORT AND RESOLUTION APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred the letter of Mark A. Nagele, P.E., County Superintendent of Highways, dated April 25, 2018 submitting three copies each of statements under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2018/2019, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designate work to be done with County Road Fund monies be, and hereby are approved by the County Legislature of the County of Herkimer for the following projects involved in the Capital Construction Program, to be funded as listed:

project no.	road/location	TYPE OF PROJECT (SEE ARTICLE 6)	estimated cost
382	Inghams Mills Road, CR 127, Town of Manehim	Reconstruction/ Rehabilitation	\$775,000.00
383	Travis Road, CR 160, Town of Danube/Stark; NYS Rte 168 to Johnnycake Road CR 136	Reconstruction/ Rehabilitation	\$1,200,000.00

and, be it further

RESOLVED, that these project will be funded by CHIPS, EWR and PAVE-NY; and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign all contracts in regard to these projects, subject to the County Attorney's Office.

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

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 189

REPORT AND RESOLUTION APPROVING BOAT HOUSING CONTRACT

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

WHEREAS, the Herkimer County Sheriff's Department maintains a boat patrol on the Fulton Chain of Lakes and has need to dock one patrol boat in the Old Forge area for the 2018 summer season; and

WHEREAS, by letter dated April 11, 2018, Christopher P. Farber, Sheriff, has advised that Rivett's Boat Livery has a boat slip available and requests that a contract be entered into with said Rivett's Boat Livery for the 2018 boating season; now, therefore, be it

RESOLVED, that a contract be entered into between the County of Herkimer and Rivett's Boat Livery for dockage of one patrol boat during the 2018 summer season running from May 15, 2018 to no later than October 15, 2018 for a sum not to exceed \$2,185.00, pursuant to a contract approved by the County Attorney's Office; and, be it further

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

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals of said 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, County Attorney, Sheriff and Rivett's Boat Livery.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 190

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH HERKIMER COUNTY HEALTHNET, INC.

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

WHEREAS, by Resolution No. 102 adopted April 4, 2018, this Legislature approved a budget amendment in connection with the receipt of pass through State grant funding in the amount of \$73,859 for the Herkimer County HealthNet, Inc.; and

WHEREAS, by letter dated April 25, 2018 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of an increase in grant funding through the New York State Department of Health for the Rural Health Network Grant ending December 31, 2018; and

WHEREAS, a 20% increase has been made from the New York State Department of Health bringing the total of the grant funding to \$92,324.00 and the following amendment to the 2018 budget is necessary to incorporate the funds; now therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign the grant extension and that the 2018 budget be amended as follows:

Revenue:

A4018.3418, Health Care Network

From: \$73,859.00

To: \$92,324.00

Expense:

A4018.44000, Health Care Network

From: \$73,859.00

To: \$92,324.00

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 Herkimer County HealthNet, Inc.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 191

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III FOR POSITION CHANGES IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

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

WHEREAS, by letter dated April 30, 2018, Kristen Snyder-Branner, LCSW-R, Director of Community Services, has requested to amend Salary Schedule III to delete a Psychiatric Social Worker in Account A4320 and establish a position of Psychiatric Social Worker Trainee in Account A4320 in the 2018 Salary Schedule; and

WHEREAS, by letter dated April 30, 2018, Steven Billings, Personnel Officer states your committees have been advised that the appropriate salary for said position in Account A4320 for Psychiatric Social Worker Trainee should be \$50,000 base pay and be effective as of June 4, 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 Psychiatric Social Worker in Account A4320 and establish a position of Psychiatric Social Worker Trainee in Account A4320 at \$50,000 base pay in the 2018 Salary Schedule, effective June 4, 2018; 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 Community Services.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 192

REPORT AND RESOLUTION APPROVING PURCHASES FOR INSTALLATION ON COMMUNICATION TOWERS THROUGH INTEROPERABLE GRANT FUNDING

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

WHEREAS, by letter dated April 16, 2018, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of a request to purchase systems using the 2016 SIG Interoperable Communication Grant, to be installed in the southern section communications towers, which will improve communications; and

WHEREAS, the items requested for purchase are a Ceragon 6ghz IP microwave system at a price of \$462,268.82 and a Tait Analog Simulcast System at a price of \$160,751.91 for the 4 southern communications towers; now, therefore be it

RESOLVED, that this Legislature hereby approves the purchase of a Ceragon 6ghz IP microwave system at a price of \$462,268.82 and a Tait Analog Simulcast System at a price of \$160,751.91 for the 4 southern communications towers, for a total project cost of \$623,020.73 utilizing the 2016 Interoperable Communications Grant funding; 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: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 193

REPORT AND RESOLUTION APPORTIONING MORTGAGE TAX

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the report of the Recording Officer and County Treasurer showing the amounts received from the mortgage taxes, respectfully reports that we have examined the report containing the list of mortgages as kept by the Herkimer County Clerk, and herewith submit the following report showing the apportionment to the several towns, villages and the City in the County. Your Committee recommends that the Herkimer County Treasurer be authorized to draw warrants payable to the supervisors of the several towns and to the City of Little Falls, and to the treasurers of the incorporated villages in an amount apportioned as indicated on the tabulated statement recommended by the Committee herewith, and your Committee offers the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to draw warrants payable to the Supervisors of the several towns in Herkimer County and to the Treasurer of the City of Little Falls and the Treasurers of the incorporated villages in the County of Herkimer entitled to a portion thereof, in the amounts of mortgage taxes apportioned respectively, and that a certified copy of the Resolution be served by the Clerk of this Legislature on the Herkimer County Treasurer.

Dated: May 16, 2018.

APPORTIONMENT OF MORTGAGE TAX

October 1, 2017 - March 30, 2018

TOWNS	TOTAL TAX RECEIVED	TOWN SHARE	INCLUDING VILLAGES	VILLAGES SHARES
COLUMBIA	\$ 8,472.07	\$ 8472.07		
DANUBE	3,210.47	3,210.47		
FAIRFIELD	10,780.09	9,956.70	MIDDLEVILLE	\$ 823.39
FRANKFORT	33,201.50	29,768.97	FRANKFORT	3,371.03
			ILION	61.50
GERMAN FLATTS	44,986.73	28,464.91	ILION	12,372.60
			MOHAWK	4,149.22
HERKIMER	40,863.67	28,046.57	HERKIMER	12,817.10
LITCHFIELD	6,716.29	6,716.29		
CITY OF LITTLE FALLS	10,734.83	10,734.83		
TOWN OF LITTLE FALLS	9,675.56	9,675.56		
MANHEIM	7,629.30	6,261.38	DOLGEVILLE	1,367.92
NEWPORT	12,011.00	10,293.28	MIDDLEVILLE	257.40
			NEWPORT	1,258.75
			POLAND	201.57
NORWAY	4,700.88	4,700.88		
OHIO	3,770.14	3,770.14		
RUSSIA	14,473.20	13,505.18	COLD BROOK	349.94
			POLAND	618.08
SALISBURY	5,681.67	5,681.67		
SCHUYLER	18,879.14	18,879.14		
STARK	3,318.72	3,318.72		
WARREN	7,498.40	7,498.40		
WEBB	85,400.74	85,400.74		
WINFIELD	8,620.18	7,359.42	WEST WINFIELD	1,260.76
TOTAL	\$ 340,624.58	\$301,715.32		\$38,909.26

Herkimer County Treasurer \$619.09



HERKIMER COUNTY LEGISLATURE

No. 194

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Michael Edwards, STOP-DWI Coordinator, dated May 3, 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 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 sum from and to the following accounts in the 2018 Budget:

Transfer:

\$2,128.00 From: A3315.44000 Special Traffic, Contracted Services
 To: A3315.25000 Special Traffic, Other Equipment

and, be it further

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

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 195

REPORT AND RESOLUTON AMENDING RESOLUTION NO. 101 OF 2018 AND APPROVING SEWER DISTRICT RESOLUTION FOR UPGRADE OF MOHAWK PUMP STATION AND OVERHEAD DOOR REPLACEMENT

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

WHEREAS, by Resolution No. 101 of 2018 this Legislature approved a Resolution adopted by the Herkimer County Seward Board, HCSD-2018-04, awarding a bid to replace overhead doors;

WHEREAS, by letter dated April 20, 2018, the Herkimer County Sewer Board has submitted a Resolution approved by the board to revoke the original bid due to specifications not being met and awarding another bid; and

WHEREAS, the Sewer District Board has adopted HCSD-2018-05, a resolution to award the bid for the overhead doors at the main plant garage at a cost of \$18,018.00 to Beaton Industrial, Inc, 6083 Trenton Road, Utica, NY 13502; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Board resolution HCSD-2018-05 awarding a bid for replacement of the overhead doors at the main plant garage at a cost of \$18,018 to Beaton Industrial, Inc.; and, be it further

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

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 196

REPORT AND RESOLUTION APPROVING HERKIMER COUNTY COMMUNITY COLLEGE RESOLUTION RECOMMENDING BID FOR ROOF REPLACEMENT ON THE ROBERT MCLAUGHLIN COMMUNITY CENTER AND TECHNOLOGY CENTER

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

WHEREAS, by request dated May 3, 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 May 2, 2018, the College Board of Trustees approved by Resolution No. 17-15, awarding a bid for RMCC and Technology Center Roofs; and

WHEREAS, by Resolution No. 193 of 2017 and Resolution No. 271 of 2017, this Legislature established a Reserve account and made an appropriation and transfer of funds for the project in the 2017 Herkimer County budget; now, therefore, be it

RESOLVED, that Resolution No. 17-15 adopted on May 2, 2018 by the Herkimer County Community College Board of Trustees is hereby approved to award a bid to S&L Roofing and Sheetmetal, Inc., 2706 New Scotland Road, Voorheesville, NY 12186, in the amount of \$1,164,995.00 for the Roof Replacement Project 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 S&L Roofing and Sheetmetal, Inc.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 197

REPORT AND RESOLUTION APPROVING HERKIMER COUNTY COMMUNITY COLLEGE RESOLUTION RECOMMENDING BID FOR REPLACEMENT OF TURF AT WEHRUM STADIUM

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

WHEREAS, by Resolution No. 322 of 2017, this Legislature approved the Herkimer County Community College Board of Trustees resolution, 17-3 to approve the replacement of Turf at Wehrum Stadium; and

WHEREAS, by request dated May 3, 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 May 2, 2018, the College Board of Trustees approved by Resolution No. 17-16, a bid award for Turf Replacement at Wehrum Stadium; now, therefore, be it

RESOLVED, that Resolution No. 17-16 adopted on May 2, 2018 by the Herkimer County Community College Board of Trustees is hereby approved to award a contract to Field Turf, 7445 Cote-de-Liesse Road, Suite 200, Contreal Quebec H4T 1G2, Canada in the amount of \$680,046.79, with the remaining balance of \$19,953.21 to cover any unforeseen issues when removing the old turf; 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 Field Turf.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 198

REPORT AND RESOLUTION APPROVING HCCC RESOLUTION TO AWARD CONTRACT FOR SMART GRID LAB EQUIPMENT

**Sponsored by: Committee on Education
Committee on Ways & Means**

WHEREAS, by Resolution No. 327 of 2017 duly adopted on December 13, 2017 this Legislature approved the Herkimer County Community College Smart Grid Training Laboratory Project; and

WHEREAS, by letter dated May 3, 2018 from Nicholas F. Laino, Senior Vice President for Administration and Finance at Herkimer County Community College, recommendation is being made for the Herkimer County Legislature to approve Board of Trustees Resolution No. 17-21 dated May 2, 2018, which authorizes an award of a contract with US Didactic Educational Products & Training Systems to provide equipment needed to support the specialized Smart Grid instruction and will also include installation, commissioning and training in the amount of \$568,976.70; now, therefore be it

RESOLVED, that the Herkimer County Legislature hereby approves a contract with US Didactic Educational Products & Training Systems to provide equipment needed to support the specialized Smart Grid instruction and will also include installation, commissioning and training in the amount of \$568,976.70; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, President of Herkimer County Community College and Vice President for Administration and Finance of Herkimer County Community College and US Didactic Educational Products & Training Systems.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 199

REPORT AND RESOLUTION AUTHORIZING PUBLIC HEARING IN CONNECTION WITH APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Sponsored by: Committee on County Planning & Development

WHEREAS, by Resolution No. 85 adopted on March 14, 2018, an application was approved for a \$750,000.00 grant for economic development assistance on behalf of the Tractor Supply Company to the New York State Office of Home and Community Renewal, with the funds to be used for a grant for Tractor Supply Company for equipment; 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 a Public Hearing be held by the Committee on County Planning and Development on the 29th day of May, 2018, at 1:00 p.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: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 200

REPORT AND RESOLUTION APPROVING GRANT FOR DEVELOPMENT OF THE MANHEIM INDUSTRIAL PARK

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

WHEREAS, by letter dated May 8, 2018 from John J. Piseck, Jr., Director of the Herkimer Industrial Development Agency, he advises that the Herkimer County Industrial Development Agency is proposing to grant the sum of \$139,000.00 to the Herkimer County Industrial Development Agency to support the infrastructure of the Manheim Industrial Park; and

WHEREAS, that letter further advises that these funds are considered to be "Program Income" as far as the Office of Community Renewal is concerned, which can be awarded by a resolution given by the Herkimer County Legislature; and

WHEREAS, the park is a 30 acre park permitted for specialized processing of meat products and there exists the opportunity to create over 100 jobs in the park within the next five years; now therefore, be it

RESOLVED, that the Herkimer County Legislature approves a \$139,000.00 grant of the above funds to the Herkimer County Industrial Development Agency to be applied to the infrastructure of the Manheim Business Park; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Industrial Development Agency.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 201

RESOLUTION OPPOSING ASSEMBLY BILL A10428 THAT PROPOSES THE ELIMINATION OF MARKSMANSHIP AND SHOOTING PROGRAMS IN PUBLIC SCHOOLS

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, an act to amend the Education Law, in relation to the prohibition of marksmanship and/or shooting programs in public schools, is being considered in the New York State Assembly; and

WHEREAS, the act is a prohibition of marksmanship and/or shooting programs and states that no public schools shall offer marksmanship and /or shooting programs including any competitive and recreational sporting activities involving proficiency tests of accuracy, precision and speed in using various types of weapons, such as handguns, rifles, and bows or crossbows; and

WHEREAS, to allow this piece of legislation to advance would be a great disservice and would effectively end a program that teaches young people sportsmanship and firearm safety in a practical and hands-on manner while protecting and preserving the Second Amendment rights and educating the younger generation to use those rights judiciously and correctly; and

WHEREAS, trap, skeet, sporting clays, and other shooting programs provide a number of benefits for youth when incorporated into school programs, such as providing physical activity, teaching discipline and responsibility, educating students on recreational shooting and hunting, and encouraging the safe handling of firearms; and

WHEREAS, The National Archery in the Schools Program (NASP) is a cooperative effort between state conservation departments, school systems and private organizations to help engage young citizens in outdoor activities and participate in the enduring sport of archery, and the program promotes student education, physical education, and lifelong participation in archery; and

WHEREAS, with its inception in March 2002, more than 4 million students at over 8,500 schools located in 47 states and 5 countries have participated in NASP with New York being the 44th state to implement the program, and school participation continues to grow each year; and

WHEREAS, New York NASP is dedicated to providing quality instruction, information and support for implementation of archery in physical education curriculums for grades 4-12 with safety and a positive atmosphere for students being emphasized, and the program helps

build muscle, endurance, and flexibility, and helps develop hand-eye coordination, grip and body strength; and

WHEREAS, archery and other shooting programs are non-discriminatory sports that can be taught to almost any student of nearly any age or skill level, and can be easily adapted for participants with disabilities allowing the opportunity for anyone who wishes to participate in a sport and be on a team; now, therefore, be it

RESOLVED, that the Herkimer County Legislature opposes Assembly Bill A10428 that proposes the elimination of marksmanship and shooting programs in public schools; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Marc W. Butler, Assemblyman Brian Miller, Assemblyman Anthony J. Brindisi, New York State Association of Counties, and the InterCounty Legislative Committee of the Adirondacks, and NYS DEC.

Dated: May 16, 2018



HERKIMER COUNTY LEGISLATURE

No. 202

RESOLUTION SUPPORTING STATE SENATE BILL S8210 WHICH WOULD INCREASE STATE CONTRIBUTIONS TO VETERANS' SERVICES AGENCIES

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, there has been introduced into the Senate Bill No. S8210 which would increase the amount of state support for County Veterans' Agencies to 50% of maintenance and operation expenses up to a maximum amount of \$20,000 per year; and

WHEREAS, increased state funding for local Veterans' Service Agencies would be a further step in reducing unfunded state mandates and help to relieve the pressure imposed on county taxpayers for real property taxes; now therefore, be it

RESOLVED, that the Herkimer County Legislature supports the adoption of Senate Bill S8210 to increase the state contribution to operation and maintenance expenses of local Veterans' Service Agencies; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Marc W. Butler, Assemblyman Brian Miller, Assemblyman Anthony J. Brindisi, New York State Association of Counties, and the InterCounty Legislative Committee of the Adirondacks.

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 203

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH PAUL K. HATZINGER, INC. FOR CONSULTING SERVICES

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

WHEREAS, by Resolution No. 78 adopted on March 15, 2017 this Legislature authorized the retention of the services of Paul K. Hatzinger, Inc. to perform an appraisal of the former P & C property located on Route 28 in the Village and Town of Herkimer; and

WHEREAS, since that time Herkimer County has taken title to the parcel and paid the owner the appraised price; and

WHEREAS, the owner has commenced litigation seeking additional compensation for the parcel making it necessary to retain the County's appraiser, Paul K. Hatzinger, Inc., to provide additional consulting services including expert testimony in connection with the litigation; and

WHEREAS, by letter dated April 24, 2018, Robert J. Malone, County Attorney, a request has been made to retain those services at an hourly rate of \$175.00; now, therefore be it

RESOLVED, that the retention of Paul K. Hatzinger, Inc., 2506 Genesee Street, Utica, New York 13502 to perform the above described consulting and expert witness services at the hourly rate of \$175.00 is hereby approved; and, be it further

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

Dated: May 16, 2018.



HERKIMER COUNTY LEGISLATURE

No. 204

REPORT AND RESOLUTION REJECTING BIDS FOR PRECAST CONCRETE CELLS FOR THE FUTURE HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated May 7, 2018 from Sheri A. Ferdula, Budget Officer, she advised that sealed bids were opened and read aloud on Tuesday, May 1, 2018 for the provision of precast concrete cells for the future Herkimer County Correctional Facility with Oldcastle Precast, Inc. bidding \$4,383,000.00 and Tindall Corporation bidding \$4,739,985.59; and

WHEREAS, it is the recommendation of the Purchasing Agent, in connection with LaBella Associates and Gilbane Building Company that the bids be rejected and the precast concrete cell package be included in the general construction contract which is scheduled to be bid in August of 2018; and

WHEREAS, current market conditions are driving up prices of commodities used in cell manufacturing and by incorporating the cells in the later bid package, the County may be able to recognize savings opportunities; now, therefore, be it

RESOLVED, that the above described bids are hereby rejected; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Oldcastle Precast, Inc., Tindall Corporation and LaBella Associates.

Dated: May 16, 2018.