

MINUTES
Herkimer County Legislature
Second Quarter – First Day
Wednesday, April 4, 2018
2:00 p.m.

Public Hearing

The Public Hearing on the 2018 Open Enrollment for Agricultural Districts was called to order at 1:18 p.m., by Peter J. Campione, Chairman of the Natural Resources Committee. The Clerk read the notice of the meeting. Mr. Campione then asked if there was anyone wishing to speak. With no appearances, the hearing was declared closed at 1:19 p.m.

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Herkimer County Legislature will hold a Public Hearing on the proposed modifications of Herkimer County Agricultural Districts #1, #3 and #4. The Public Hearing will be held on Wednesday, April 4, 2018 at 1:15 p.m., in the Herkimer County Legislature Chambers in Herkimer, New York.

Seven landowners have submitted requests in 2018 for inclusion of predominantly viable agricultural land within a certified agricultural district, and these requests have been filed with the Herkimer County Legislature pursuant to Section 303-b of the NYS Agriculture and Markets Law. One landowner has a parcel located in the Town of Frankfort, which is part of or adjacent to Agricultural District No. 1; One landowner has a parcel located in the Town of Herkimer, which is part or adjacent to Agricultural District No. 1; Three landowners have parcels located in the Town of Danube, which is part of or adjacent to Agricultural District No. 3 and two landowners have parcels in the Town of Danube, which is part of or adjacent to Agricultural District No. 4.

The public hearing shall be held to consider these landowners' requests and the recommendations of the Herkimer County Agricultural and Farmland Protection Board.

Dated at Herkimer, New York
March 23, 2018.
Sally Deming, Clerk
Herkimer County Legislature
Herkimer, New York

The Second Quarterly Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 2:00 p.m.

Chairman Peplinski called on Christina Cain, Director of the Public Health Nursing Service, 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.

Present: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Brezinski (1).

Quorum present.

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 March 14, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

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 No. 150 and 186 be read. Chairman Peplinski continued with the session.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. With none, Chairman Peplinski continued with the Session.

No. 143 – A communication was received from the Executive Director of Youth Bureau submitting Annual Report for 2017. Referred to the Committee on County Planning & Development.

No. 144 – A communication was received from the Sheriff submitting Annual Report for 2017. Referred to the Committee on Public Safety/Emergency Management.

No. 145 - A communication was received from the Director of Real Property submitting Annual Report for 2017. Referred to the Committee on Ways & Means.

No. 146 - A communication was received from the City of Little Falls Attorney requesting forgiveness of taxes on parcel. Referred to the Committees on County Properties and Ways & Means.

No. 147 - A communication was received from Village of Newport Clerk submitting resolution to transfer tax parcels. Referred to the Committees on County Properties and Ways & Means.

No. 148 - A communication was received from the HC Sewer District Chairman submitting appointment for Sewer Board. Referred to the Committee on Natural Resources.

No. 149 - A communication was received from the HC Sewer District Secretary submitting Sewer District Resolutions. Referred to the Committees on Natural Resources and Ways & Means.

No. 150 - A communication was received from the County Attorney advising of Notice of Claim. Ordered filed.

No. 151 - A communication was received from the County Auditor submitting corrections to tax roll. Referred to the Committee on Ways & Means.

No. 152 - A communication was received from the Budget Officer requesting contract extension and budget amendment for HealthNet. Referred to the Committees on Human Resources and Ways & Means.

No. 153 - A communication was received from Executive Director of HealthNet requesting contract extension and budget amendment for HealthNet. Referred to the Committees on Human Resources and Ways & Means.

No. 154 - A communication was received from the Budget Officer advising of award of bus bid for bus service to Old Forge for Youth Bureau. Referred to the Committees on County Planning and Ways & Means.

No. 155 - A communication was received from the Commissioners of Elections requesting amendment to Res. 61 of 2014 to add titles. Referred to the Committee on Administration/Veterans' Affairs and Ways & Means.

No. 156 - A communication was received from the Personnel Officer advising of additional titles in Board of Elections. Referred to the Committees on Administration/Veterans' Affairs and Ways & Means.

No. 157 - A communication was received from the Commissioners of Elections advising of contract extension. Ordered filed.

No. 158 - A communication was received from the Commissioners of Elections - Requesting signature of contract extension. Referred to the Committees on Administration/Veterans' Affairs and Ways & Means.

No. 159 - A communication was received from the Personnel Officer advising of District Attorney salary increase. Ordered filed.

No. 160 - A communication was received from NYSAC acknowledging receipt of Resolutions. Ordered filed.

No. 161 - A communication was received from the Commissioners of Elections recommending award of bid for ballots. Referred to the Committees on Administration/Veterans' Affairs and Ways & Means.

No. 162 - A communication was received from the Budget Officer advising of bid for ballot printing bid. Referred to the Committees on Administration/Veterans' Affairs and Ways & Means.

No. 163 - A communication was received from the Highway Superintendent recommending purchase of vehicles for Highway department. Referred to the Committee on Highways.

No. 164 - A communication was received from the Budget Officer advising of awarding bid for Highway Vehicles. Referred to the Committee on Highways.

No. 165 - A communication was received from the Budget Officer requesting to amend budget in connection with receipt of funding. Referred to the Committee on Human Resources and Ways & Means.

No. 166 - A communication was received from the Director of Public Health advising of grant award for Immunization Action Plan. Referred to the Committees on Human Resources and Ways & Means.

No. 167 - A communication was received from the Director of Public Health requesting changes to positions in Public Health. Referred to the Committees on Human Resources and Ways & Means.

No. 168 - A communication was received from the Personnel Officer requesting amendment to Salary Schedule III in Public Health. Referred to the Committees on Human Resources and Ways & Means.

No. 169 - A communication was received from the Chairman of the Legislature authorizing Vice Chairman to sign documents in his absence. Ordered filed.

No. 170 - A communication was received from the Director of Emergency Services authorizing easement agreement with the Town of Webb for communications tower. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 171 - A communication was received from the Director of Emergency Services requesting acceptance of PSAP Grant Funding. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 172 - A communication was received from the Director of Emergency Services requesting acceptance of Interoperable Communications Grant. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 173 – A communication was received from the Budget Officer requesting budget amendment in connection with receipt of Interoperable Communications Grant Program. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 174 – A communication was received from the Director of Emergency Services requesting change order for McCauley Tower. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 175 – A communication was received from the District Attorney requesting to amend part time salary schedule. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 176 – A communication was received from the Personnel Officer – Advising of change to part time salary schedule in District Attorney’s Office. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 177 – A communication was received from the Sheriff requesting signature for stipulation of agreement with UPSEU. Referred to the Committee on Ways & Means.

No. 178 - A communication was received from the Sheriff requesting contract for SallyPort Support Inmate Management System. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 179 – A communication was received from the Director of Probation requesting amendment to Salary Schedule III. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 180 – A communication was received from the Personnel Officer advising of change to Salary Schedule in Probation. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 181 - A communication was received from the Director of Probation requesting contract for Electronic Monitoring Program. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 182 - A communication was received from the Director of Probation requesting extension of contract of the Alternatives to Incarceration Service Plan. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 183 - A communication was received from the Director of Probation requesting authorization to attend conference and amend Laundry List. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 184 - A communication was received from the Farmland Protection Board recommending properties listed for open enrollment period for 2018 be added to existing agricultural districts. Referred to the Committee on Natural Resources.

No. 185 - A communication was received from the Chairman of the Legislature advising of updated Farmland Protection Board. Ordered filed.

No. 186 - A communication was received from the County Attorney advising of Notice of Claim. Ordered filed.

With that being all the communications, the Chairman continued with Reports and Resolutions beginning with the Consent Agenda.

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

For: Ayes (16). Against: None.

Absent: Brezinski (1).

Consent Agenda:

97	CO. PLANNING & DEV. : Adopting Annual Report of Youth Bureau	VOICE
98	PUB. SAF/EM. MANG.: Adopting Annual Report of Sheriff	VOICE
99	WAYS & MEANS.: Adopting Annual Report of Real Property	VOICE
100	NAT. RES.: VOICE	

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Shaw, Report and Resolution No. 101 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolutions for Upgrade of Mohawk Pump Station and Overhead Door Replacement was handed up; voted on and adopted by voice vote:

Ayes: (16). Against: None.

Absent: Brezinski (1).

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 102 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending budget in connection with Herkimer County HealthNet was handed up; voted on and adopted by voice vote:

Ayes: (16). Against: None.

Absent: Brezinski (1).

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No.103 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means amending Resolution No. 61 of 2014 to Establish Titles in the Board of Elections was handed up; voted on and adopted by the following roll call vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Brezinski (1).

Against: None.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No.104 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means extending contract for grant in Board of Elections was handed up, voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 105 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing contract for printing was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Smith, seconded by Mr. Gaworecki, Report and Resolution No. 106 sponsored by the Committee on Highways awarding bid for purchase of equipment for Highway Department was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Shaw, seconded by Mr. Schrader, Report and Resolution No. 107 sponsored by the Committee on Human Resources and Committee on Ways & Means authorizing contract renewal with New York State for Immunization Action Plan and amending budget was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Ackerman, seconded by Mr. Johnson, Report and Resolution No. 108 sponsored by the Committee on Human Resources and Committee on Ways & Means amending Salary Schedule III for position changes in Herkimer County Public Health department was handed up; voted on and adopted by the following roll call vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Manno, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Brezinski (1).

Against: Smith (1).

On motion of Mr. Stephens, seconded by Mr. Ackerman, Report and Resolution No. 109 sponsored by the Committee on Ways & Means authorizing the execution of Stipulation Agreement with United Public Service Employees was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Bono, seconded by Mr. Weakley, Report and Resolution No. 110 sponsored by the Committee on Ways & Means amending Resolution No. 329 of 2017 authorizing attendance at conferences for Municipal Officers and Employees during the year 2018 was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Ackerman, seconded by Mr. Keeler, Report and Resolution No. 111 sponsored by the Committee on County Properties cancelling tax lien on premises in the City of Little Falls was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 112 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means authorizing agreement with the Town of Webb for easement for the McCauley Mountain Radio Tower was handed up; voted on and adopted by the voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 113 in connection with receipt of Homeland security funding was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 114 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means accepting a New York State Office of Homeland Security and Emergency Services 2017 Statewide Interoperable Communication Grant, amending budget and establishing project was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Russell, seconded by Mr. Hollum, Resolution No. 115 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means approving change order on contract for Professional Services in connection with McCauley Mountain Communication Tower was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Bono, seconded by Mr. Weakley, Resolution No. 116 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means amending part time salary schedule to add temporary position in Herkimer County District Attorney's Office was handed up; voted on and adopted by the following roll vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Brezinski (1).

Against: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No.117 sponsored by the Committee on Public Safety/Emergency Management approving Renewal of Agreement for SallyPort Inmate Management System at Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Bono, seconded by Mr. Gaworecki, Report and Resolution No.118 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means, approving Staffing change in Probation Department was handed up; voted on and adopted by the following roll call vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Brezinski (1).

Against: None.

On motion of Mr. Hollum, seconded by Mr. Keeler, Report and Resolution No.119 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means authorizing contract in connection with Electronic Monitoring Program was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Stephens, seconded by Mr. Ackerman, Report and Resolution No.120 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means authorizing execution of Alternatives to Incarceration contracts was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Weakley, seconded by Mr. Keeler, Report and Resolution No.121 sponsored by the Committee on County Properties concerning premises in the Village of Newport was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Campione, seconded by Mr. Manno, Report and Resolution No.122 sponsored by the Committee on Natural Resources to provide that the additions to existing Agricultural Districts for the Year 2018 pursuant to Section 303-b of the Agriculture and Markets Law is in compliance with the provisions of the New York State Environmental Quality Review Act was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No.123 sponsored by the Committee on Natural Resources approving additions to existing Agricultural Districts for the Year 2018 was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No.124 sponsored by the Committee on County Planning & Development appointing member to the Herkimer County Industrial Development Agency was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Brezinski (1).

Pursuant to Rule 6, Chairman Peplinski asked if any members of the Legislature wished to comment.

Legislator Schrader thanked the members of the past and present Legislature for supporting Youth Programs for the last 40 years.

Chairman Peplinski called on Kathy Fox, Director of Office for the Aging to explain the latest Clean Up Day sponsored by the Office for the Aging. Kathy stated Clean Up Day for seniors would be held on May 5th with a rain date set for May 12th. This year the areas are Little Falls and Herkimer. She stated volunteers are needed.

At 2:20 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, April 25, 2018 at 7:00 p.m.

Sally I. Deming, Clerk



HERKIMER COUNTY LEGISLATURE

No. 97

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on County Planning and Development

Your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau for the year 2017 respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Youth Bureau for the year 2017 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 98

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF THE SHERIFF

Sponsored by: Committee on Public Safety and Emergency Management

WHEREAS, your Committee on Public Safety & Emergency Management, to which was referred the communication from the Herkimer County Sheriff submitting the 2017 Annual Report of the Sheriff's Office, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2017 Annual Report of the Sheriff's Office hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2017.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 99

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF THE REAL PROPERTY TAX OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of the Real Property Tax Service Agency, submitting the 2017 Annual Report of the Herkimer County Real Property Tax Office, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2017 Annual Report of the Herkimer County Real Property Tax Office hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2017.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 100

REPORT AND RESOLUTION DESIGNATING MEMBER TO THE HERKIMER COUNTY SEWER BOARD

Sponsored by: Committee on Natural Resources

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 100 for the year 1986, determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board, and appointed the Chief Executive, or their designees, of the Villages of Ilion, Frankfort and Mohawk and the Towns of Frankfort and German Flatts, as members of the said Board; and

WHEREAS, by letter dated February 28, 2018, this Legislature is advised by the Village of Ilion that the Village Board has reappointed Charles T. Lester to serve on the Herkimer County Sewer District Board of Directors; now, therefore, be it

RESOLVED, that Charles T. Lester, 110 Barringer Road, Ilion, New York, is hereby reappointed to the Herkimer County Sewer District Board, representing the Village of Ilion, to for a five year term on said Board, said term to begin on March 1, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Herkimer County Sewer District, Village of Ilion and Charles T. Lester.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 101

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTIONS FOR UPGRADE OF MOHAWK PUMP STATION AND OVERHEAD DOOR REPLACEMENT

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

WHEREAS, by letter dated February 23, 2018, from Lisa Pardee, Secretary to the Herkimer County Sewer Board, advisement is made that the Sewer District Board has adopted HCSD-2018-03, a Resolution to upgrade the Mohawk Pump Station at a cost of \$11,769.00; and

WHEREAS, by letter further states the Sewer District Board has adopted HCSD-2018-04, a resolution to replace the overhead doors at the main plant garage at a cost of \$17,966.00; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Board resolutions HCSD-2018-03 for an upgrade of the control station at the Mohawk Pump Station at a cost of \$11,769.00 and HCSD-2018-04 for replacement of the overhead doors at the main plant garage at a cost of \$17,966; 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, Shrier-Martin Process Equipment and Overhead Door Company.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 102

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. 140 adopted June 14, 2017, this Legislature approved a budget amendment in connection with the receipt of pass through State grant funding in the amount of \$156,000 for the Herkimer County HealthNet, Inc.; and

WHEREAS, by letter dated March 16, 2018, from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the New York State Department of Health has extended the Rural Health Network Grant for 9 months beginning April 1, 2018 and ending December 31, 2018; and

WHEREAS, the grant funding for the 9 month extension is \$73,859 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: \$0

To: \$73,859

Expense:

A4018.44000, Health Care Network

From: \$0

To: \$73,859.

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: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 103

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 61 OF 2014 TO ESTABLISH TITLES IN THE BOARD OF ELECTIONS

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

WHEREAS, by letter dated March 7, 2018 from Kim S. Tranter and Anthony C. Fumarola, Commissioners of Elections, this legislature has been advised of a request to establish the titles of Poll Site Supervisor and Courier; and

WHEREAS, by letter dated March 26, 2018, from Steven Billings, Personnel Officer has advised that the title of Poll Site Supervisor shall be established at \$25.00 per election and the title of Courier be established at \$25.00 per election; now, therefore be it

RESOLVED, that Resolution No. 61 of 2014 is hereby amended to include the title of Poll Site Supervisor at \$25.00 per election and the title of Courier be established at \$25.00 per election; and be it further

RESOLVED, that in all other respects, Resolution No. 61 of 2014 is hereby ratified and confirmed; and be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 104

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 108 of 2012 this Legislature approved a contract with the State of New York to receive certain grant funding (Shoebox Grant) in the amount of \$140,668.52, to reimburse county boards of elections for local dollars spent to further implement the Help America Vote Act (HAVA) ; and

WHEREAS, by letter dated February 27, 2018 from the Commissioners of Elections request is being made to allow the Chairman of the Legislature to execute the HAVA Shoebox Grant extension for the contract dates of April 1, 2018-March 31, 2019; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension from April 1, 2018 to March 31, 2019 on behalf of the County of Herkimer with the New York State Board of Elections in connection with the HAVA Shoebox Grant for the remaining grant funds of \$38,087.13; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute future extensions of the duration of said grant, so long as an unexpended balance remains and no other amendments to said grant are made; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 105

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR PRINTING BALLOTS

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

WHEREAS, by letter dated March 12, 2018 from the Commissioners of Elections a request has been made to enter into a contract with Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York 14606 for provision of optical scan ballot printing and all attached production related "Value Added" service; and

WHEREAS, per ballot cost to the County for 14" and 17" ballots shall be \$.48 each and the cost per 22" ballot shall be \$.54 each, and said contract shall be for a three year period from June 1, 2018 to May 31, 2021, with three one-year renewal options to be exercised at the option of Herkimer County; now, therefore, be it

RESOLVED, that a contract be entered into with Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York 14606, for the provision of optical scan ballot printing for the Herkimer County Board of Elections, with said contract to be for a three year period from June 1, 2018 to May 31, 2021, with three one year renewals at the option of the County; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to execute said contract, with the form of said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Commissioners of Elections and Phoenix Graphics, Inc.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 106

REPORT AND RESOLUTION AWARDING BID FOR PURCHASE OF EQUIPMENT FOR HIGHWAY DEPARTMENT

Sponsored by: Committee on Highways

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has advised by letter dated March 16, 2018 that sealed bids were received, opened and read in accordance with law for the purchase of one new diesel powered truck with a dump body and one used, 2012 or newer, diesel powered cab and chassis (water truck) for the Herkimer County Highway Department; and

WHEREAS, the Budget Officer further advises that it is the recommendation of your Committee and the County Superintendent of Highways that the bids for the used truck be rejected, and the Legislature approve the purchase of (2) new 2018 diesel powered dump trucks and a contract be awarded to Mohawk Valley Freightliner of Yorkville, New York, which was the lowest bidder for a total bid price of \$119,951; and

WHEREAS, there are sufficient funds available in the 2018 Road Maintenance budget for said purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of (2) new 2018 diesel powered dump trucks and a contract be awarded to Mohawk Valley Freightliner, 703 Oriskany Boulevard, Yorkville, New York 13495 which was the lowest bidder for a total bid price of \$119,951; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 107

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN AND AMENDING BUDGET

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

WHEREAS, by communication dated March 14, 2018, Christina Cain, Director of Public Health, has advised that the New York State Department of Health has forwarded a contract for renewal of the grant agreement for the Immunization Action Plan for the period from April 1, 2018 through March 31, 2019, with the contract amount being \$31,307.00; and

WHEREAS, by letter dated March 16, 2018 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2018 Budget in connection with the receipt of the amount of \$31,307.00 under said grant; now, therefore, be it

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

Revenue Account:	A4189A-4489A-PH06-15	From:	\$0
		To:	\$31,307
Expense Account:	A4189A-10000-001 PH06-15	From:	\$0
		To:	\$21,575
	A4189A-41000-PH06-15	From:	\$0
		To:	\$1,300
	A4189A-44000-521-PH06-15	From:	\$0
		To:	\$2,000
	A4189A-46100-PH06-15	From:	\$0
		To:	\$200
	A4189A-81000-PH06-15	From:	\$0
		To:	\$3,116
	A4189A-86000-PH06-15	From:	\$0
		To:	\$3,116.

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a renewal of the contract between the County of Herkimer and the New York State Department of Health to receive \$31,307.00 in funding for the Immunization Action Plan for the period April 1, 2018 through March 31, 2019; 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: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 108

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

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

WHEREAS, by letter dated March 8, 2018, Christina Cain, Director of Public Health, has requested to amend Salary Schedule III to delete one position of Family Services Specialist in Account A4059, increase the base pay of the two remaining positions of Family Services Specialist in Account A4059 and increase the base pay of Senior Family Services Specialist in Account A2960; and

WHEREAS, by letter dated March 26, 2018, Steven Billings, Personnel Officer states your committees have been advised that the appropriate salary for said positions in Account A4059 for Family Services Specialist should be \$30,000 base pay and the increase of the Senior Family Services Specialist in Account A2960 to \$33,368.00, effective as of April 4, 2018; and

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

RESOLVED, that one position of Family Services Specialist in Account A4059 be deleted, increase the base pay of the two remaining positions of Family Services Specialist in Account A4059 at the base pay of \$30,000 and increase the base pay of Senior Family Services Specialist in Account A2960 to \$33,368.00, effective April 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 Public Health Nursing Service.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 109

REPORT AND RESOLUTION AUTHORIZING THE EXECUTION OF STIPULATION AGREEMENT WITH UNITED PUBLIC SERVICE EMPLOYEES (SHERIFF'S DEPARTMENT)

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated March 16, 2018 from Christopher A. Farber, Herkimer County Sheriff, he has advised that an agreement has been reached between the County and the United Public Service Employees Union (Sheriff's Department) to allow Sergeants to work 12 hour shifts on a trial basis, with the agreement to expire September 30, 2018 unless agreed in writing by all parties; now, therefore be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the above agreement; and, be it further

RESOLVED, that certified copies be forwarded to the County Treasurer, Auditor, Budget Officer, Personnel Officer, County Attorney and Herkimer County Sheriff.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 110

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 329 OF 2017 AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2018

Sponsored by: Committee on Ways and Means

WHEREAS, on December 13, 2017 this Legislature adopted Resolution No. 329 authorizing attendance at conferences for Municipal Officers and Employees during the year 2018; and

WHEREAS, by communication dated February 27, 2018, from Garry Murphy, Director of Probation, this Legislature is advised of a request to attend the NY State Association of Incarcerated Education Programs, Inc. conference and that the organization be added to the Laundry List to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 329 adopted on December 13, 2017 be amended under Probation Director, to include attendance at the NY State Association of Incarcerated Education Programs, Inc. conference; and, be it further

RESOLVED, that in all other respects Resolution No. 329 of 2017 shall remain in full force and effect; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 111

REPORT AND RESOLUTION CANCELLING TAX LIEN ON PREMISES IN THE CITY OF LITTLE FALLS

Sponsored by: Committee on County Properties

WHEREAS, premises located on East Mill Street in the City of Little Falls consisting of a manufacturing building having Tax Map number 115.61-1-77, were the subject of the county's 2015 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the County of Herkimer withdrew those premises from the In Rem Proceedings; and

WHEREAS, the City of Little Falls, by letter dated February 21, 2018 from the City Attorney, Jennifer Chrisman, has indicated that the owner of the premises is willing to donate the property to the City of Little Falls, and at the same time the city has been contacted by a party that is interested in purchasing the premises for \$500, and that the monies received from the purchaser will be turned over to the county; and

WHEREAS, the amount of back taxes due on the premises is \$28,532.84 as of March 9, 2018; now, therefore, be it

RESOLVED, that upon the transfer of the premises as above described and the payment of the \$500 purchase price to the County of Herkimer, all delinquent tax liens be cancelled and the enforcing officer is hereby authorized to issue a certificate of cancellation of taxes at that time; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Property Agent and City Attorney of the City of Little Falls.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 112

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH THE TOWN OF WEBB FOR EASEMENT FOR THE McCAULEY MOUNTAIN RADIO TOWER

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

WHEREAS, by letter dated March 16, 2018, Matthew Palumbo, Director of Emergency Services, has requested approval of a communications tower easement agreement between Herkimer County and the Town of Webb; and

WHEREAS, the easement agreement allows the County an easement for the purposes of constructing, operating, inspecting, maintaining, repairing, replacing, substituting and removing a Herkimer County Radio EMS/911 tower on premises of the Town of Webb located at the McCauley Mountain Ski Resort, together with the right to install, maintain, repair and replace a gravel access road, with the right of the Town of Webb to place antennas, transmitters and other equipment on the tower subject to County approval; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described communications tower easement agreement, together with such other documents as may be necessary to allow it to be recorded in the Herkimer County Clerk's Office; and be it further

RESOLVED that certified copies be of this Resolution be forwarded to the Director of Emergency Services, County Attorney and Town of Webb.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 113

REPORT AND RESOLUTION IN CONNECTION WITH RECEIPT OF HOMELAND SECURITY FUNDING

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

WHEREAS, by letter dated March 7, 2018, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of the receipt of funding under the 2017-2018 Public Safety Answering Points (PSAP) Operations Grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$194,366.00; and

WHEREAS, said PSAP Operations funding will be used to offset the costs of full-time dispatcher salaries; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by electronic signature a contract with the New York State Division of Homeland Security and Emergency Services for funding under the 2017-2018 Public Safety Answering Points (PSAP) Operations Grant, in the amount of \$194,366.00; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 114

REPORT AND RESOLUTION ACCEPTING A NEW YORK STATE OFFICE OF HOMELAND SECURITY AND EMERGENCY SERVICES 2017 STATEWIDE INTEROPERABLE COMMUNICATION GRANT, AMENDING BUDGET AND ESTABLISHING PROJECT

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

WHEREAS, by letter dated March 7, 2018 from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of the receipt of \$636,876.00 through a 2017 New York State Interoperable Communications Grant and he also requests that the Chairman of the Legislature be authorized to sign said grant by electronic signature; and

WHEREAS, funding under said grant will be used to enhance communication across the county and allow the purchase of a high speed microwave system at 4-5 sites and simulcast to the proposed Webb tower and early stages of the Inlet tower, equipment to support simulcast in the area will also be budgeted in, and essential equipment to support the new system will be requested in the grant budget; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature a contract with New York State Homeland Security and Emergency Services to receive a 2017 New York State Interoperable Communications Grant for Herkimer County in the amount of \$636,876.00, with funds designated for use to improve interoperability of communications systems; and, be it further

RESOLVED, that the 2018 Herkimer County Budget be amended and a new project be established as follows:

Revenue Account:

H3097, General Gov't Capital Projects, Project 19-3

From:	\$0
To:	\$636,876

Expense Account:

H3021.25000, Public Safety, Other Equipment, Project 19-3

From:	\$0
To:	\$636,876

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 115

REPORT AND RESOLUTION APPROVING CHANGE ORDER ON CONTRACT FOR PROFESSIONAL SERVICES IN CONNECTION WITH McCAULEY MOUNTAIN COMMUNICATIONS TOWER

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

WHEREAS, by Resolution No. 216 adopted on September 14, 2016, this Legislature authorized a contract with The LA Group to perform professional services for the purpose of obtaining a Visual Impact Study and Balloon Flight, at a cost not to exceed \$15,000, in connection with the construction of the McCauley Mountain Communications Tower, with funding under the Round 3 Statewide Interoperable Communications Grant; and

WHEREAS, by Resolution No. 76 of 2017 adopted on March 15, 2017, this Legislature approved an amendment to said contract for additional work as part of the Adirondack Park Agency Permit Application in the maximum amount of \$30,000; and

WHEREAS, by letter dated March 22, 2018, Matthew Palumbo, Director of Emergency Services, has advised that the Adirondack Park Agency has received and reviewed the application issuing a Notice of Incomplete Permit (NIPA), and requests a change order be approved, not to exceed \$8,000, to complete the necessary work and apply for the permit; now, therefore, be it

RESOLVED, that a change order not to exceed the amount of \$8,000 to complete the necessary work, NIPA response and application to the Adirondack Park Agency be approved with The LA Group, P.C., 40 Long Alley, Saratoga Springs, New York, 12866; and, be it further

RESOLVED, that Chairman of the Legislature is hereby authorized to execute said change order on behalf of the County of Herkimer, with said change order be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Emergency Services and The LA Group, P.C., Inc.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 116

REPORT AND RESOLUTION AMENDING PART TIME SALARY SCHEDULE TO ADD TEMPORARY POSITION IN HERKIMER DISTRICT ATTORNEY'S OFFICE

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

WHEREAS, by letter dated March 13, 2018 from Jeffrey S. Carpenter, District Attorney has requested that the part-time Salary Schedule be amended to establish a temporary part time position of Senior Account Clerk in A1165 at the hourly rate of \$18.07 per hour; and

WHEREAS, by letter dated March 26, 2018 from Steven R. Billings, Personnel Officer, your committees have been advised that the appropriate salary for said position should be \$18.07 per hour and be effective as of April 4, 2018; now, therefore be it

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

RESOLVED, that one part-time temporary position of Senior Account Clerk in A1165 in the part-time Salary Schedule is hereby established at the hourly rate of \$18.07 per hour, for up to 60 days, effective April 4, 2018 and with an end date of June 1, 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 District Attorney.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 117

REPORT AND RESOLUTION APPROVING RENEWAL OF AGREEMENT FOR SALLYPORT INMATE MANAGEMENT SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by Resolution No. 19 of 2009 this Legislature authorized an agreement to accept the SallyPort Jail Management System at the Herkimer County Correctional Facility, which agreement has been renewed by resolution thereafter; and

WHEREAS, by letter dated March 15, 2018 from Sheriff Christopher Farber, this Legislature is advised of a request to renew said agreement for support services for the SallyPort Inmate Management System for the period 1/1/2018 through 12/31/2018 at a cost of \$15,076.75; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for support services for the SallyPort Inmate Management System at the Herkimer County Correctional Facility with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 1/1/2018 through 12/31/2018 at an annual cost of \$15,076.75; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized for a period of three years under the same or more favorable terms and conditions; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 118

REPORT AND RESOLUTION FOR STAFFING CHANGE IN PROBATION DEPARTMENT

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

WHEREAS, by letter dated March 5, 2018, Garry Murphy, Director of Probation, has requested a staffing change in the Probation Department; and

WHEREAS, by letter dated March 20, 2018, Steven Billings, Director of Personnel has reviewed the request under Herkimer County Civil Service Rules and agrees the Trainee should be moved into the full title of Probation Officer; and

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

RESOLVED, that the 2018 Herkimer County Salary Schedule III is hereby amended to delete one position of Probation Officer Trainee in Account A3140, Probation Department, and establish one position of Probation Officer at the base hire rate of \$42,006 annually; and, be it further

RESOLVED, that said change shall take effect April 1, 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 Probation.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 119

REPORT AND RESOLUTION AUTHORIZING CONTRACT IN CONNECTION WITH ELECTRONIC MONITORING PROGRAM

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

WHEREAS, beginning in 2003, Herkimer County has operated a successful electronic monitoring program diverting hundreds of adults and juveniles from local jail and detention/placement facilities through the years, resulting in substantial savings to Herkimer County; and

WHEREAS, by letter dated March 13, 2018 Garry Murphy, Director of Probation, has advised that a company has recently expanded its operations to New York State and is offering electronic monitoring devices and technology that will be beneficial to the Probation department, at a cost saving to the county, and is now requesting a contract with Buddi US; and

WHEREAS, based upon cost and quality of service, it is requested that approval be granted to engage the services of Buddi US, LLC, for the monitoring of offenders placed on electronic monitoring at a rate of \$3.80 per daily unit; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Buddi US, LLC, with its principal place of business located at 2710 Alternate 19N, Palm Harbor, Florida 34683, for a period of one year for the provision of all electronic monitoring services for the Herkimer County Probation Department, at rates outlined in said agreement, with said agreement to be 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 renewal agreements, 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 Probation and Buddi US, LLC.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 120

REPORT AND RESOLUTION AUTHORIZING EXECUTION OF ALTERNATIVES TO INCARCERATION CONTRACTS

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

WHEREAS, by communication dated March 13, 2018, Garry Murphy, Director of Probation, advises that the State of New York Division of Criminal Justice Services has approved the 2018-2019 Alternatives to Incarceration Plan and awards for the Pretrial Program and the Community Service Program in the amount of \$12,733.00, and requests authorization for the Chairman of the Legislature to execute by e-signature said contracts; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute and e-sign the annual contracts for the Pre-Trial and Community Service Programs for the period July 1, 2018 through June 30, 2019; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 121

RESOLUTION CONCERNING PREMISES IN THE VILLAGE OF NEWPORT

Sponsored by: Committee on County Properties

WHEREAS, premises having Tax Map numbers 094.46-1-25 and 094.46-1-26 in the Village of Newport are the subject of the County's 2016 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the Village of Newport has adopted a resolution agreeing to hold Herkimer County harmless in connection with the premises if the County will take title to those premises and convey them to the Village; and

WHEREAS, the Village has also agreed that in the event the premises are eventually sold and the Village receives more than its demolition costs at such sale, any overage will be paid to the County, with grant funds not being considered in calculating the amount due to the County; and

WHEREAS, the unreimbursed 2016 and 2017 taxes total \$3,939.14 as of March 20, 2018; now, therefore, be it

RESOLVED, that the County of Herkimer hereby agrees to take title to the premises, and thereafter transfer the premises to the Village of Newport, with the Village indemnifying the County and holding it harmless from any suit, claim, cause of action or cost of any kind or nature in connection with the premises, including any such issue related to environmental contamination or cleanup of or otherwise related to the premises; and, be it further

RESOLVED, that this Legislature further determines that there is no practicable method to enforce the collection of tax liens on the premises and that a supplementary proceeding to enforce collection will not be effective; and, be it further

RESOLVED, that upon conveyance of the premises to the Village of Newport, the delinquent tax liens on the premises shall be canceled; and, be it further

RESOLVED, the Chairman of this Legislature is hereby authorized to execute all necessary contracts and deeds in connection with accomplishment of the above transfer; and, be it further

RESOLVED, that upon such conveyance the Enforcing Officer is hereby authorized to issue and file a Certificate of Cancellation of the said taxes; and, be it further

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

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 122

REPORT AND RESOLUTION TO PROVIDE THAT THE ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS FOR THE YEAR 2018 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW IS IN COMPLIANCE WITH THE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

Sponsored by: Committee on Natural Resources

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA), Article 8 of the NYS Environmental Conservation Law and Part 617 of Title 6, New York Code Rules and Regulations (6NYCRR) to incorporate the consideration of environmental factors into existing planning, review and decision-making processes of local government agencies; and

WHEREAS, SEQRA requires that all agencies determine whether the actions they directly undertake, fund, or approve may have a significant effect on the environment; and

WHEREAS, the Herkimer County Legislature has under consideration requests from seven landowners pursuant to Resolution 146 of 2004, which established the month of January of each year as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within existing agricultural districts; and

WHEREAS, your Committee has designated the project as an Unlisted Action pursuant to SEQRA and completed an uncoordinated review of the proposed modifications of the agricultural districts; and

WHEREAS, your Committee has fully considered, assessed and discussed the information contained within the Environmental Assessment Form; now, therefore, be it

RESOLVED, that based on the information provided and discussed, the Herkimer County Legislature has determined that the proposed action will not result in any significant adverse environmental impacts; and, be it further

RESOLVED, that the reasons supporting this determination are documented on the Environmental Assessment Form, within a packet of attachments to the forms, and on additional supporting documentation; and, be it further

RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the County, as lead agency, hereby issues a negative declaration and directs that the Chairman of the Legislature file and make available the same in accordance with the requirements of SEQRA Law.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 123

REPORT AND RESOLUTION APPROVING ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS FOR THE YEAR 2018

Sponsored by: Committee on Natural Resources

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for requests by landowners for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, upon recommendation of the Agricultural and Farmland Protection Board, the Herkimer County Legislature established the month of January as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within existing agricultural districts during the year 2018; and

WHEREAS, Herkimer County received requests from six landowners for inclusion of ten parcels of land within an existing agricultural district; and

WHEREAS, the Herkimer County Agricultural & Farmland Protection Board determined that said parcels proposed for inclusion in the agricultural districts consist predominately of viable agricultural land, and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural districts; and

WHEREAS, the Agricultural & Farmland Protection Board recommended that said parcels listed on the attached list be included in the agricultural districts as viable agricultural land; and

WHEREAS, the Herkimer County Legislature held a public hearing on April 4, 2018; and

WHEREAS, the Herkimer County Legislature has determined pursuant to the State Environmental Quality Review Act, that the proposed action will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Herkimer County Legislature does hereby approve the nine parcels listed on the attached list for inclusion in agricultural districts as viable agricultural land.

Dated: April 4, 2018.



HERKIMER COUNTY LEGISLATURE

No. 124

RESOLUTION MAKING APPOINTMENT TO THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Sponsored by: Committee on County Planning & Development

WHEREAS, this Legislature by Resolution No. 124 of 1970 established an Industrial Development Agency for the County of Herkimer, and by Resolution No. 104 for 1982 amended said resolution to increase membership of the Herkimer County Industrial Development Agency to seven members; and

WHEREAS, it is necessary to make an appointment to fill a vacancy on said Industrial Development Agency; now, therefore, be it

RESOLVED, that this Legislature hereby appoints Cory M. Albrecht, 125 Second Street, Ilion, New York, to the Herkimer County Industrial Development Agency; and, be it further

RESOLVED, that said appointee shall serve on said Agency until a successor is appointed and qualified; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Industrial Development Agency, the Secretary of State of the State of New York and Cory M. Albrecht.

Dated: April 4, 2018.