



HERKIMER COUNTY LEGISLATURE

No. 290

RESOLUTION REAPPOINTING DIRECTOR TO THE HERKIMER COUNTY SOIL AND WATER CONSERVATION DISTRICT

Sponsored by: Committee on Natural Resources

WHEREAS, by communication dated November 16, 2017, the Herkimer County Soil and Water Conservation District recommends the reappointment of Linda Coffin for the position of Director-at-Large, pursuant to Sections 6 and 7 of the Soil Conservation Law; now therefore, be it

RESOLVED, that Linda Coffin, 1165 Jones Road, Ilion, New York, be reappointed as Director of the Herkimer County Soil and Water Conservation District, said term to be effective January 1, 2018 through December 31, 2020 and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, and Linda Coffin.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 291

RESOLUTION REAPPOINTING DIRECTORS TO THE HERKIMER COUNTY SOIL AND WATER CONSERVATION DISTRICT

Sponsored by: Committee on Natural Resources

WHEREAS, by communication dated November 16, 2017, the Herkimer County Soil and Water Conservation District recommends the reappointment of Bernard Peplinski, Sr. and Peter J. Campione for the position of Director, pursuant to Sections 6 and 7 of the Soil Conservation Law; now therefore, be it

RESOLVED, that Bernard Peplinski, Sr. and Peter J. Campione, members of the Herkimer County Legislature, be reappointed as Directors of the Herkimer County Soil and Water Conservation District, said term to be effective January 1, 2018 through December 31, 2018 and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Bernard Peplinski, Sr. and Peter J. Campione.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 292

REPORT AND RESOLUTION REAPPOINTING MEMBER TO REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD

Sponsored by: Committee on Natural Resources

RESOLVED, that the reappointment of Bruce Weakley, P.O. Box 474, Poland, New York, as landowner representative to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, by letter dated December 1, 2017, be and hereby is, ratified and confirmed, which term shall expire on December 31, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Regional Supervisor of Fish and Wildlife at Region 6 of the New York State Department of Environmental Conservation and Bruce Weakley.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 293

REPORT AND RESOLUTION REAPPOINTING MEMBER TO REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD

Sponsored by: Committee on Natural Resources

RESOLVED, that the reappointment of David Hyney of Little Falls, New York, as sportsman representative to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, by letter dated December 1, 2017, be and hereby is, ratified and confirmed, which term shall expire on December 31, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Regional Supervisor of Fish and Wildlife at Region 6 of the New York State Department of Environmental Conservation and David Hyney.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 294

REPORT AND RESOLUTION REAPPOINTING MEMBER TO REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD

Sponsored by: Committee on Natural Resources

RESOLVED, that the reappointment of Bernard Peplinski, Sr., 793 State Route 51, New York, as legislative representative to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, by letter dated December 1, 2017, be and hereby is, ratified and confirmed, which term shall expire on December 31, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Regional Supervisor of Fish and Wildlife at Region 6 of the New York State Department of Environmental Conservation and Bernard Peplinski, Sr.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 295

REPORT AND RESOLUTION CONFIRMING REAPPOINTMENT TO THE HERKIMER COUNTY HUMANE SOCIETY BOARD OF DIRECTORS

Sponsored by: Committee on Natural Resources

WHEREAS, by Resolution No. 187 of 1995 this Legislature authorized the Chairman of the Legislature to appoint one legislator to serve as representative of the Legislature on the Herkimer County Humane Society Board of Directors, subject to confirmation by this Legislature; and

WHEREAS, by letter dated November 30, 2017, Bernard Peplinski, Chairman of the Legislature, has reappointed Legislator Robert Schrader to serve on said Humane Society Board of Directors; now, therefore, be it

RESOLVED, that this Legislature confirms the reappointment made by the Chairman, of Legislator Robert Schrader to serve as representative of the County Legislature on the Herkimer County Humane Society Board of Directors, for a term to expire on December 31, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Humane Society Board of Directors and Legislator Robert Schrader.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 296

RESOLUTION REAPPOINTING MEMBER TO ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY

Sponsored by: Committee on County Planning & Development

WHEREAS, the term of Kenneth A. Long to the Oneida-Herkimer Solid Waste Management Authority appointed pursuant to Resolution 237 of 2012 shall expire on December 31, 2017; now, therefore, be it

RESOLVED, that Kenneth A. Long, 1725 Barringer Road, Ilion, New York, be and he hereby is, reappointed for a five year term commencing January 1, 2018 as representative of Herkimer County on the Oneida-Herkimer Solid Waste Management Authority; and, be it further

RESOLVED, that certified copies of this Resolution be sent to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, the Oneida-Herkimer Solid Waste Management Authority and Kenneth A. Long.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 297

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2017 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated November 27, 2017 submitting a request for transfers of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sum from and to the following accounts in the 2017 Budget:

Transfer:

	FROM	TO
\$10,405	A4010.10000, Public Health, Salaries	A1040.10000, Clerk of the Legislature, Salaries
\$20,000.00	A6410.44000, County Promotion, Contracted	A1185.45000, Coroner, Fees for Services
\$2,000.00	A1325.10100, Treasurer, Temporary Emp	A1325.44000, Treasurer, Contracted
\$2,549	A3020.44000, Public Safety, Contracted	A3020.10000, Public Safety, Salaries
\$60,000.00	A2960.44000, Ed Of Hand, Contracted	A4059.44000, EI, Contracted
\$212	A3315.44000, Stop DWI, Contracted Services	A3315.10000, Stop DWI, Salaries
\$885	A7320.10100, Summer Youth, Salaries	A7310.10000, Youth Bureau, Salaries
\$5,800	A7320.10100, Summer Youth, Salaries	A7310.44000, Youth Bureau, Contracted
\$35,000.00	A6010.10000-001, DSS Admin, Salaries	A6119.40000, Foster Care, Contractual
\$20,000.00	A6011.10000-001, SNAP, Salaries	A6119.40000, Foster Care, Contractual
\$10,000.00	A6014.10000-001, Child Support, Salaries	A6119.40000, Foster Care, Contractual
\$55,000.00	A6140.40000, Safety Net, Contractual	A6119.40000, Foster Care, Contractual
\$500.00	A4189A.10000-001, Immunization, Salaries	A4189A.46100, Immunization, Mileage
\$100,000.00	DM5130.10000-001, Road Machinery, Sal	D5110.10000-001, County Road, Salaries
\$20,000.00	CD6292.10000-001, ET03-17, Adult Salaries	CD6292A.3002.10000-001, ET02-17, Youth Salaries
\$800.00	CD6292.46000.683, ET03-17, Adult Class	CD6292A.3002.10000-001, ET02-17, Youth Salaries
\$2,000.00	CD6295.46000.683, ET10-16, Trade Act Tr	CD6292A.3002.10000-001, ET02-17, Youth Salaries
\$332.50	CD6300.46000.683, ET05-17, Dislocated Wk	CD6292A.3002.10000-001, ET02-17, Youth Salaries
\$800.00	CD6292.86000, ET03-17, Adult Health Ins	CD6300.86000, ET05-17, Dislocated Worker Health Ins
\$400.00	CD6294.86000, One Stop Health Insurance	CD6300.86000, ET05-17, Dislocated Worker Health Ins

and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 298

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2017 BUDGET IN INFORMATION SERVICES DEPARTMENT

**Sponsored by: Committee on Ways & Means
Committee on Information Services**

WHEREAS, your Committee on Ways and Means and Committee on Information Services, to which was referred a communication from Sheri Ferdula, Budget Officer, dated November 20, 2017 submitting a request for transfers of funds for the purchase of a cutting machine in the Print Shop, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sum from and to the following accounts in the 2017 Budget:

Transfer:

\$4,500	FROM:	A1670.41000, Print Shop, Supplies
	TO:	A1670.23000, Print Shop, Other Equipment
\$2,000	FROM:	A1670.44000, Print Shop, Contracted Services
	TO:	A1670.23000, Print Shop, Other Equipment
\$2,064	FROM:	A1680.44000-442, Information Services, Maintenance Contracts
	TO:	A1670.23000, Print Shop, Other Equipment.

and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 299

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2017 BUDGET IN MENTAL HEALTH DEPARTMENT

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

WHEREAS, your Committee on Ways and Means and Committee on Human Resources, to which was referred a communication from Sheri Ferdula, Budget Officer, dated November 20, 2017 submitting a request for transfers of funds for the purchase of computer equipment, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sum from and to the following accounts in the 2017 Budget:

Transfer:

\$2,500 FROM: A4320.44000-350, Mental Health, Consultants
 TO: A4320.22000, Mental Health, Computer Equipment.

and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 300

REPORT AND RESOLUTION ADOPTING 2018 BUDGET

Sponsored by: Committee on Ways and Means

WHEREAS, the tentative budget for the year 2018 for the County of Herkimer has been duly presented to the County Legislature by the Budget Officer, and a duly advertised public hearing has been held thereon; now, therefore, be it

RESOLVED, that pursuant to Section 360 of the County Law, the tentative budget be, and hereby is, adopted as the Budget of the County of Herkimer for the year 2018.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 301

REPORT AND RESOLUTION ADOPTING ASSESSMENT ROLL OF HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, the Herkimer County Sewer District has prepared and submitted an assessment roll pursuant to Section 271 of the County Law; and

WHEREAS, the Herkimer County Budget Officer has transmitted the said assessment roll with the tentative budget of the Herkimer County Sewer District for the year 2018 to the Clerk of the Herkimer County Legislature; and

WHEREAS, by Resolution No. 259 adopted on November 15, 2017 the County Legislature of the County of Herkimer has provided for a public hearing on the said Sewer District Assessment Roll for December 13, 2017; and

WHEREAS, said public hearing has now been held pursuant to said notice; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby affirms and adopts the Assessment Roll to be used in the year 2018 as submitted by the Herkimer County Sewer District pursuant to Section 271 of the County Law;
2. That there shall be, and hereby is, levied and assessed the sum apportioned to each such lot or parcel of land within the boundaries of said Herkimer County Sewer District, at the time and in the manner provided by law for the levy of state, county and town taxes;
3. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer and Herkimer County Sewer District.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 302

REPORT AND RESOLUTION MAKING APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT FOR THE FISCAL YEAR 2018

Sponsored by: Committee on Ways and Means

WHEREAS, the County Legislature of the County of Herkimer, by Resolution dated December 13, 2017, has adopted the Budget for fiscal year 2018; now, therefore, be it

RESOLVED, pursuant to Section 360 of the County Law, that the several amounts specified in such budget in the Column entitled "Adopted" be, and hereby are, appropriated for the objects and purposes specified effective January 1, 2018.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 303

REPORT AND RESOLUTION AMENDING CONTRACTS AND AMENDING BUDGET FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by Resolution No. 292 of 2016 this Legislature approved contracts for 2017 with various agencies to provide a variety of mental health services for county residents; and

WHEREAS, by Resolution No. 142 of 2017, this Legislature amended said contracts for additional funding; and

WHEREAS, by letter dated November 20, 2017, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend the contract with Upstate Cerebral Palsy in connection with the receipt of additional funding through the New York State Office of Mental Health, which is provided at the 100% state level; and

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the contract for increased amounts with the following agency to provide services to the Herkimer County Mental Health Services:

1. Upstate Cerebral Palsy Association
1020 Mary Street
Utica, NY 13501
For a contract amendment of \$489,969 to \$512,457

and, be it further

RESOLVED, that in all other respects, Resolution No. 292 of 2016 and Resolution No. 142 of 2017 are hereby ratified and confirmed; and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 304

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

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

WHEREAS, by letter dated November 16, 2017, Kristen Snyder-Branner, LCSW-R, Director of Community Services, has requested that the position of Administrative Officer Trainee be deleted and one full-time position of Administrative Officer be established in the 2017 Salary Schedule II; and

WHEREAS, by letter dated November 28, 2017, Steven R. Billings, Personnel Officer your committees have been advised that the appropriate salary for said position should be \$38,000 base pay and be effective as of December 5, 2017; now, therefore be it

RESOLVED, that one full-time position of Administrative Officer Trainee in the 2017 Salary Schedule II is hereby deleted and one full-time position of Administrative Officer is hereby established, in Account A4320, at the base annual salary of \$38,000 effective December 5, 2017; 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: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 305

REPORT AND RESOLUTION AUTHORIZING CONTRACTS IN CONNECTION WITH FLEXIBLE FUNDS FOR FAMILY SERVICES PLAN (FORMERLY KNOWN AS TEMPORARY ASSISTANCE TO NEEDY FAMILIES – TANF) IN THE DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated November 17, 2017 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that the State of New York has approved Herkimer County's Flexible Funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families - TANF) Plan for the year 2017-18; and

WHEREAS, Herkimer County will receive federally allocated grant funding in connection with the implementation of the Flexible Funds for Family Services Plan, and in addition, capped Title XX and open-ended child welfare funding remain in place for the period; and

WHEREAS, said letter further requests that contracts be entered into with the following agencies for the implementation of the aforesaid programs; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts with the following agencies in connection with the Herkimer County Department of Social Services Flexible Funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families -TANF) Services Plan:

1. Herkimer County Department of Mental Health, 301 N. Washington Street, Suite 2470, Herkimer, NY, in the amount of \$21,500 to provide assessment of TANF and Safety Net clients who have indicators of alcohol and/or drug problems;
2. Center for Family Life and Recovery, 502 Court Street, Suite 401, Utica, NY 13502, in the amount of \$37,080, for management and coordination services to ensure clients with alcohol and/or drug abuse issues receive and follow through with the services they need to overcome barriers to self-sufficiency;
3. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$20,000 to screen and provide assessment of clients who may have domestic violence issues as a barrier to self-sufficiency or receipt of child support;

4. . Legal Aid Society of Mid-New York, 255 Genesee Street, Utica, NY 13501, to assist TANF and Safety Net clients in the appeal process, who have been denied Social Security Disability or Supplemental Security Income benefits, with said contract not to exceed \$12,000;

5. Resource Center for Independent Living, Inc., 409 Columbia St., PO Box 210, Utica, NY 13503, to work with clients who have medical exemptions, or limited exemptions, to bridge the gap between vocational services and disability support services to achieve employment, with said contract not to exceed \$47,810;

6. Center for Family Life and Recovery 502 Court St., Suite 401, Utica, NY 13502, to provide preventive services to the Family Support Persons in Need of Supervision Unit (PINS), with said contract not to exceed \$349,479;

7. Kids Oneida, 310 Main St. Utica, NY 13501 – Family Reunification/Readiness Assessment and Return Home Early/Service Provision for Individual Needs (SPIN) to provide service under a coordinated system of care to address the prevention of residential placement, and expedite identified children's return home from such placement and also to include an additional menu of services (SPIN) to be used on an as needed basis for existing Herkimer County cases, with said contract not to exceed a combined total of \$237,536 annually; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute contracts with the following agencies under Title XX funding:

1. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$38,500 to provide non-residential services to eligible clients and their families who are victims of domestic violence;
2. Kids Oneida, 310 Main Street, Utica, NY 13501, in the amount not to exceed \$137,917 to provide intensive preventive services on a continuous basis for families with children at risk for out-of-home placement into the highest level of institutional care;
3. Kids Oneida, 310 Main Street, Utica, NY 13501, to provide voluntary court-ordered parenting/nurturing skills classes for parents in various states of child welfare services, with said contract not to exceed \$27,250; and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 306

REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR SERVICES UNDER CAREGIVER SUPPORT PROGRAM

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

WHEREAS, by Resolution No. 142 duly adopted on May 16, 2001, this Legislature established a New York Elder Caregiver Support Program in the Herkimer County Office for the Aging; and

WHEREAS, by letter dated November 17, 2017, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to renew contracts with Superior Home Health Care, HASCA, Mohawk Valley Health Care Center, RCIL and Trusted Friends for the provision of respite services, which is one of the requirements under said Caregiver Support Program, which help families keep their loved ones at home rather than in a nursing home and said Program is 90/10% federal funding with no overmatch; now, therefore, be it

RESOLVED, that this Legislature hereby approves respite contracts with the agencies listed below under the Title III E, Caregiver Support Program of the Herkimer County Office for the Aging, for the period from January 1, 2018 through December 31, 2018, with services to be provided at the rates as outlined below:

Agency	Rate	Service
Superior Home Health Care	\$21.20/hr.	In-home respite
HASCA	\$23.84/hr.	In-home respite (T.Webb)
Mohawk Valley Health Care Center	\$225.45/day	Institutional overnight stay
RCIL	Basic -\$18.00/hr. Enhanced: \$18.00/hr.	In-Home Services Consumer Directed
RCIL	\$105.00 per day	Social Adult Day Program
Trusted Friends	\$18.00/hr.	In-home Respite

and, be it further

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 307

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

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

WHEREAS, by letter dated November 1, 2017, Kathy L. Fox, Director of the Office for the Aging, requests a contract be entered into with Roland Miner to provide Tai Chi exercise classes at a cost of \$50.00 per class under the Title IIID Program of the Herkimer County Office for Aging, which provides Evidenced Based Health Promotion activities for individuals 60 and over; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract for the period commencing January 1, 2018 to December 31, 2018 with Roland Miner, 306 Folts Street, Herkimer, New York, to provide services to the Herkimer County Office for the Aging for the provision of Tai Chi exercise classes for individuals 60 and over at a cost of \$50.00 per class, up to an amount of \$5,200; with funding to be provided from the Title IIID Evidenced Based Health Program and a 10% local match; and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 308

REPORT AND RESOLUTION AUTHORIZING AMENDED CONTRACT FOR PROVISION OF SCREENING SERVICES TO DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by Resolution No. 202 adopted September 16, 2015 the Chairman of the Legislature and the Commissioner of Social Services were authorized to enter into an agreement with Beacon Center, Inc., 3131 Sheridan Drive, Suite 106, Amherst, New York 14223, for the provision of all services for, and administration of, drug and alcohol/substance abuse screening/testing for the Herkimer County Department of Social Services; and

WHEREAS, Resolution No. 34 of 2017 amended the contract for price increases in services for the 2018 calendar year; and

WHEREAS, by letter dated November 20, 2017, Timothy Seymour, Commissioner of Social Services, has requested said agreement be amended to reflect price increases as follows:

Pain Management Profile (13 Drugs) increase from \$115.00 to \$195.00
Pain Management Screening Profile (11 Drugs) increase from \$95.00 to \$140.00
Drug Abuse Profile (7 Drugs) increase from \$65.00 to \$73.00
Cannabinoid (K2, Spice) Synthetic Expanded Profile decrease from \$75.00 to \$58.00
Ethyl Glucuronide (80 hour alcohol test) increase from \$75.00 to \$78.00

now, therefore, be it

RESOLVED, that the Chairman of the Legislature and the Commissioner of Social Services be authorized to enter into an amended agreement with Beacon Center, Inc., 3131 Sheridan Drive, Suite 106, Amherst, New York 14223, for the provision of all services for, and administration of, drug and alcohol/substance abuse screening/testing for the Herkimer County Department of Social Services, including the above listed price increases, with said amended agreement to be subject to the review and approval of the Herkimer County Attorney; and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 309

REPORT AND RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH HERKIMER COUNTY IDA

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated November 20, 2017, Sheri A. Ferdula, Budget Officer, has advised that an appropriation is necessary to accommodate the request for an additional \$100,000 from the Herkimer County Industrial Development Agency; and

WHEREAS, said letter further advises that there is sufficient funding available in the Reserve, IDA Shell Building Fund for an appropriation in connection with this account; now, therefore, be it

RESOLVED, that the sum of \$100,000. is hereby appropriated as follows:

Appropriation:

\$70,000	From: A889L, Reserve/IDA Shell Building
	To: A6420.40000, IDA, Contractual Expense
\$30,000	From: A1990.46000, Contingent Fund, Miscellaneous Expense.
	To: A6420.40000, IDA, Contractual Expense.

and, be it further

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 310

REPORT AND RESOLUTION AUTHORIZING SUB-LEASE AGREEMENT WITH THE OFFICE OF ADULT CAREER AND CONTINUING EDUCATION SERVICES

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

WHEREAS, by letter dated November 20, 2017 from Karin Piseck, Director of Employment and Training, your Committee has been advised that it is necessary to enter into a sub-lease agreement with the Office of Adult Career and Continuing Education Services (ACCES) for use of office space at the Working Solutions One Stop Center located at 320 North Prospect Street, Herkimer, New York; and

WHEREAS, said agreement would be for a term of one year commencing July 1, 2017 through June 30, 2018 and would provide a cubicle of office space in the Working Solutions One Stop Center for use by the Office of Adult Career and Continuing Education Services for the purpose of assisting and serving its customers, with payment to the County to be in the amount of \$7,000 annually; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a sub-lease Agreement on behalf of the County of Herkimer with the Office of Adult Career and Continuing Education Services, containing the above terms and conditions, with further terms and conditions subject to the approval of the Herkimer County Attorney; and, be it further

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Employment and Training and the Office of Adult Career and Continuing Education Services.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 311

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 131 OF 2008 ESTABLISHING STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS AND CERTAIN COUNTY POSITIONS

Sponsored by: Committee on Ways & Means

WHEREAS, Resolution No. 131 of 2008 the Herkimer County Legislature established the standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement system; and

WHEREAS, by letter dated November 21, 2017, James W. Wallace, Jr., County Administrator has requested that certain titles be added as reportable titles to the New York State and Local Retirement System in response to a letter received from the NYS Retirement System on October 23, 2017; now, therefore be it

RESOLVED, that the following titles standard workdays are hereby established for the following titles for the purpose of determining days worked reportable to the NYS and Local Employees' Retirement system:

HEAP Examiner – 7 hours
Food Service Helper – 7 hours
Poll Site Coordinator – 7 hours
Voting Machine Technician – 7 hours
Student Aide – 7 hours
Correction Hearing Officer – 8 hours
Court Attendant – 8 hours

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, department heads, and the NYS and Local Employees' Retirement system.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 312

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD

Sponsored by: Committee on Ways and Means

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

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

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

RESOLVED, that pursuant to Section 803-a of the Executive Law of the State of New York, the County of Herkimer enter into a contract with the Adirondack Park Local Government Review Board in the sum of \$3,650.00 for the purpose of supporting its operations for the year 2018; and, be it further

RESOLVED, that said contract requires that the Adirondack Park Local Government Review Board render to this Legislature a verified account of the disbursements of said grant with verified or certified vouchers attached thereto, with the provision that a refund be made to the County of Herkimer of any amount of said funds which may remain unused by the Adirondack Park Local Government Review Board on December 31, 2018; and, be it further

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

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 313

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH MID-YORK LIBRARY SYSTEM FOR THE YEAR 2018

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

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

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

RESOLVED, that pursuant to Section 255 and 256 of the Education Law of the State of New York, the County of Herkimer enter into a contract with Mid-York Library System for the purpose of supporting the operating of Mid-York Library System for the year 2018 within the County of Herkimer and member public libraries of said system within the County of Herkimer, in the sum of \$64,489.00; and, be it further

RESOLVED, that said contract further provides that the sum of \$17,125.00 be paid to Mid-York Library System to support its operation within the County of Herkimer and that the balance of said \$47,364.00 be distributed among the member public libraries within the County of Herkimer as follows:

Library	2018 Funding
Dolgeville-Manheim	\$2,877.00
Middleville	1,591.00
Newport	1,591.00
Old Forge	1,591.00
Poland	1,591.00
Basloe (Herkimer)	8,719.00
Frankfort	4,101.00
Kirby (Salisbury)	1,591.00
Jordanville	1,591.00
Little Falls	7,366.00
West Winfield	1,591.00
Weller (Mohawk)	3,574.00
Ilion	9,590.00
Total	\$47,364.00

and, be it further

RESOLVED, that said Mid-York Library System render to this Legislature a verified account of the disbursement of said grant with verified or certified vouchers thereto attached and that said Mid-York Library System refund to the County of Herkimer any amount of the said funds which may remain unused by Mid-York Library System or by its member public libraries on December 31, 2018; and, be it further

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

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 314

REPORT AND RESOLUTION AUTHORIZING CONTRACTS WITH NON-PROFIT ORGANIZATIONS FOR THE YEAR 2018

Sponsored by: Committee on Ways and Means

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

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

RESOLVED:

1. That the Herkimer County Legislature hereby authorizes contracts for the year 2018 with the organizations named below in the amounts and for the purposes set forth;

2. That each said contract shall require the rendering of a verified account of the disbursements from the amount contracted for with verified or certified vouchers thereto attached;

3. That each said contract shall provide for a refund of any unused amount;

4. Before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of such organization agreeing to comply with the terms of this Resolution;

5. That the contracts hereby authorized are as follows:

Organization	Amount	Services as set Forth in Statute (County Law Sec.)
Central Adirondack Association, Inc.	\$ 20,000.00	224(14)

Adirondack North Country Association	\$ 900.00	224(14)
Cooperative Extension Assoc. Of Herkimer County	\$225,319.00	224(8)
Cooperative Extension Association of Herkimer County Legislature Intern Program	\$ 2,500.00	224(8)
Herkimer County Industrial Development Agency	\$ 65,000.00	224(14)
Herkimer County Chamber of Commerce	\$21,500.00	224(14)
Route 20 Association	\$ 100.00	224(14)
Herkimer County Historical Society	\$27,500.00	224(2)
Herkimer County Humane Society	\$15,000.00	224(4)
Herkimer County Humane Society - Reimbursement for animal cruelty investigations	\$ 5,000.00	224(4)
Mohawk Valley Economic Development District, Inc.	\$20,000.00	224(14)

and, be it further

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 315

REPORT AND RESOLUTION LEVYING CONSOLIDATED HEALTH TAXES

Sponsored by: Committee on Ways and Means

WHEREAS, by communication dated November 28, 2017 from the Director of Real Property Tax Services, your Committee on Ways and Means has been advised by the Supervisor of the Town of Winfield of the need to raise the sum of Eight Hundred Dollars for the Consolidated Health District of the Town of Winfield for the year 2018; and

WHEREAS, by said communication your Committee has been further advised by the Supervisor of the Town of German Flatts of the need to raise the sum of Two Thousand Dollars for the Consolidated Health District of the Town of German Flatts for the year 2018; now, therefore, be it

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

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

and, be it further

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 316

REPORT AND RESOLUTION ADOPTING 2017 EQUALIZATION TABLE FOR THE YEAR 2018

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means of the County Legislature of the County of Herkimer, pursuant to Section 804 of the Real Property Tax Law, submits the following ratio of assessed valuation to full valuation, as determined by the Legislature of Herkimer County on real property of the several tax districts of said County liable to the general levy of the tax shown by the tabulated statement herewith; that the tax rate on the County Budget as established is \$5.619114 per \$1,000.00 full value.

Dated: December 13, 2017.

2017 HERKIMER COUNTY EQUALIZATION TABLE FOR 2018

TAXABLE ASSESSED VALUATION	EQUALIZATION RATE	FULL VALUATION	PERCENT OF BUDGET	COUNTY WIDE AMOUNT OF LEVY	TAXABLE VALUE	ANTICIPATED TAX RATE
ITTY LITTLE FALLS	20.00%	159,093,620	3.347287%	893,965.19	31,322,061	28.54
OLUMBIA	91.00%	78,172,143	1.644721%	439,258.21	70,159,464	6.26
LANUBE	81.30%	62,309,766	1.310981%	350,125.75	49,938,030	7.01
AIRFIELD	78.00%	98,103,085	2.064063%	551,252.54	74,854,323	7.36
RANKFORT	72.00%	393,643,739	8.282159%	2,211,929.20	279,025,511	7.93
ERMAN FLATTS	80.00%	399,011,724	8.395100%	2,242,092.53	311,461,404	7.20
ERKIMER	94.00%	373,552,837	7.859451%	2,099,035.91	345,207,852	6.08
ITCHFIELD	91.00%	82,827,352	1.742665%	465,416.27	74,905,077	6.21
LITTLE FALLS	75.00%	79,520,896	1.673098%	446,836.90	58,954,552	7.58
ANHEIM	70.00%	174,121,354	3.663467%	978,407.88	119,815,290	8.17
EMPORT	103.50%	118,220,216	2.487322%	664,292.99	121,384,848	5.47
ORWAY	72.00%	50,442,422	1.061295%	283,441.72	35,975,966	7.88
HIO	100.00%	198,417,501	4.174651%	1,114,930.59	196,900,107	5.66
USSIA	100.00%	195,879,057	4.121243%	1,100,666.83	193,221,353	5.70
ALISBURY	100.00%	130,736,689	2.750665%	734,624.42	129,453,314	5.67
CHUYLER	90.00%	168,759,982	3.550665%	948,281.67	149,099,471	6.36
TARK	59.30%	50,533,570	1.063213%	283,953.96	29,703,228	9.56
ARREN	64.00%	75,382,013	1.586017%	423,580.05	47,663,195	8.89
EBB	100.00%	1,759,146,049	37.011961%	9,884,842.53	1,756,501,630	5.63
INFIELD	91.00%	105,038,313	2.209978%	590,222.29	94,426,275	6.25

COUNTY TOTALS: 4,209,340,176 4,752,912,328 100.00% 26,707,157.00 4,169,972,951

TTL VALUATION: 4,752,912,328
 COUNTY BUDGET FOR 2018: 26,707,157.00
 TAX RATE PER \$1.00: .005619114



HERKIMER COUNTY LEGISLATURE

No. 317

REPORT AND RESOLUTION ADOPTING FORMS AND FOOTINGS

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the communication dated November 28, 2017 from the Director of Real Property Tax Services, submitting tabulation of real property tax assessments taken from the 2017 assessment roll, does respectfully report that we have examined said communication, inquired into the subject matter thereof, recommend that the sums as shown by the footings contained in the several tax rolls be used as a basis for taxation, and therefore offer the following Resolution:

RESOLVED, that the tables of figures, as reported to your Committee on Ways and means, be used as a basis for taxation in the City of Little Falls and the several towns of the County of Herkimer for the year 2018 and that levy be made from the Committee on Ways and Means for the several districts.

Dated: December 13, 2017.

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2017 FOR 2018 HERKIMER COUNTY FORMS AND FOOTINGS

	TOTAL ASSESSED	REVALUATION STATUS	TOTAL EXEMPTIONS FOR COUNTY	TOTAL TAXABLE FOR COUNTY LEVY		TOTAL EXEMPTIONS FOR TOWN	TOTAL TAXABLE FOR TOWN LEVY	
CITY LITTLE FALLS	56,904,061	N	25,582,000	31,322,061		3,929,192	70,019,893	
COLUMBIA	73,949,085	Y	3,789,621	70,159,464		18,276,684	49,957,770	
DANUBE	68,234,454	Y	18,296,424	49,938,030		82,257,383	74,670,203	
FAIRFIELD	156,927,586	Y	82,073,263	74,854,323		30,104,531	279,069,456	
FRANKFORT	309,173,987	Y	30,148,476	279,025,511		109,004,288	310,817,014	
GERMAN FLATTS	419,821,302	Y	108,359,898	311,461,404		192,398,096	344,709,366	
HERKIMER	537,107,462	Y	191,899,610	345,207,852		4,422,408	74,890,077	
LITCHEFIELD	79,312,485	Y	4,407,408	74,905,077		10,558,486	58,950,708	
LITTLE FALLS	69,509,194	Y	10,554,642	58,954,552		13,700,418	119,856,105	
MANHEIM	133,556,523	Y	13,741,233	119,815,290		26,026,418	121,503,848	
NEWPORT	147,530,266	Y	26,145,418	121,384,848		35,975,966	196,742,542	
NORWAY	63,954,765	Y	27,978,799	35,975,966		27,684,166	36,270,599	
OHIO	232,175,306	Y	35,275,199	196,900,107		35,432,764	196,742,542	
RUSSIA	217,289,729	Y	24,068,376	193,221,353		7,171,397	129,465,314	
SALISBURY	136,636,711	Y	7,183,397	129,453,314		91,018,937	149,654,471	
SCHUYLER	240,673,408	Y	91,573,937	149,099,471		5,194,064	29,719,212	
SPARK	34,913,276	Y	5,210,048	29,703,228		6,021,496	47,692,225	
TARREN	53,713,721	Y	6,050,526	47,663,195		661,914,317	1,753,984,859	
WEBB	2,415,899,176	Y	659,397,546	1,756,501,630		21,344,761	94,447,825	
WINFIELD	115,792,586	Y	21,366,311	94,426,275				

TOTALS: 5,563,075,083 1,393,102,132 4,169,972,951 1,369,196,697 4,136,974,325



HERKIMER COUNTY LEGISLATURE

No. 318

REPORT AND RESOLUTION LEVYING TAXES FOR THE YEAR 2018

Sponsored by: Committee on Ways and Means

WHEREAS, this County Legislature, by resolution duly adopted on December 13, 2017, has adopted the Budget for the fiscal year 2018, and by Resolution this date has made appropriations for the conduct of county government for the fiscal year 2018; now, therefore, be it

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

Dated: December 13, 2017.

TAX LEVY
2017 FOR 2018

TOWN OR CITY	ASSESSMENTS LIABLE FOR TAXES	ASSMT LIABLE FOR TAXES IN VILLAGE	ASSMT LIABLE FOR TAXES OUT OF VIL.	COUNTY TAXES COUNTY WIDE	COUNTY WIDE REASSESSED TAX ROLLS 2018	RETURNED SCHOOL TAXES	FEES & INT. SCHOOL TAXES	RETURNED VILL./CITY TAXES	FEES & INT. VILL./CITY TAXES
CITY LITTLE FALLS	31,322,061	31,322,061	31,322,061	893,965.19	4,099.81	387,932.11	27,155.32	480,164.43	33,611.57
COLUMBIA	70,159,464	70,159,464	70,159,464	439,258.21	1,985.03	147,219.51	10,305.31		
DANUBE	49,938,030	49,938,030	49,938,030	350,125.75	1,515.06	210,511.75	14,735.78		
FAIRFIELD	74,854,323	11,420,401	63,433,922	551,252.54	1,948.03	167,526.49	11,726.94		364.07
FRANKFORT	279,025,511	57,272,708	221,752,803	2,211,929.20	1.00	534,509.48	37,415.64		6,352.04
GERMAN FLATTS	311,461,404	228,526,896	82,934,508	2,242,092.53	9,772.87	514,687.03	36,028.14		31,053.48
HERKIMER	345,207,852	216,483,434	128,724,418	2,099,035.91	207.84	650,081.78	45,505.77		29,953.80
LITCHFIELD	74,905,077	74,905,077	74,905,077	465,416.27	19.72	128,353.41	8,984.67		
LITTLE FALLS	58,954,552	58,954,552	58,954,552	446,836.90	1,924.03	191,762.65	13,423.42		
MANHEIM	119,815,290	42,294,051	77,521,239	978,407.88	3,366.63	401,916.72	28,134.17		5,522.22
NEWPORT	121,384,848	34,702,403	86,682,445	664,292.99	2,407.15	174,562.91	12,219.39		538.43
NORWAY	35,975,966	35,975,966	35,975,966	283,441.72	1,312.06	109,398.03	7,657.81		
OHIO	196,900,107	196,900,107	196,900,107	1,114,930.59	4,018.84	129,378.51	9,056.50		
RUSSIA	193,221,353	25,622,998	167,598,355	1,100,666.83	3,899.46	198,102.41	13,867.24		
SALLSBURY	129,453,314	129,453,314	129,453,314	734,624.42	3,255.91	155,375.29	10,876.38		
SCHUYLER	149,099,471	149,099,471	149,099,471	948,281.67	2,959.34	276,978.55	19,388.37		
STARK	29,703,228	29,703,228	29,703,228	283,953.96	1,269.53	96,073.29	6,725.14		
WARREN	47,663,195	47,663,195	47,663,195	423,580.05	1,635.81	109,210.11	7,644.69		
WEBB	1,756,501,630	1,756,501,630	1,756,501,630	9,884,842.53	10,851.56	266,385.77	18,647.06		
WINFIELD	94,426,275	26,626,087	67,800,188	590,222.29	44.91	135,419.00	9,479.29		843.50
TOTALS:	4,169,972,951	642,948,978	3,527,023,973	26,707,157.43	273.47	74,967.24	348,977.03	1,552,520.87	108,676.65

TAX LEVY
2017 FOR 2018

TOWN OR CITY	CONS.	HEALTH	SURPLUS	OMITTED TAX TO TREAS.	OMIT/PM /PRORAT TO TOWN	PRO RATA	REFUNDS BY RES.	NEW YORK STATE FEE	ABSTRACT OF SETTLEMENT	HERK CO SEWER DIST RELIEVY	BOARD OF ELECTION FEE	TOTAL TO TREASURER	TOTAL TO SUPERVISOR
CITY LITTLE FALLS			.17-					1,200.00			14,061.36	1,842,189.62	474,162.28
COLUMBIA			.26					444.96	121.92-		5,624.54	604,715.90	217,756.03
DANUBE			.07-					850.00	237.16		2,812.27	580,787.70	255,935.29
FAIRFIELD			.44					1,000.00	20.13		2,812.27	741,851.69	2,520,404.55
FRANKFORT			1.39-				7,535.63	1,300.00	2,605.99	142,896.74	16,873.63	3,059,218.98	1,486,295.31
GERMAN FLATTS		2,000.00	.85-				8,241.40	1,500.00	730.66	398,721.77	39,371.82	3,727,819.43	1,324,806.36
HERKIMER			.34-			46.62	1,443.23	1,500.00	743.34		25,310.44	3,289,552.70	367,106.04
LITCHFIELD			.26					406.43	1,108.05		2,812.27	608,960.89	310,400.02
LITTLE FALLS			.11		400.00			1,000.00	1,101.65		2,812.27	658,861.03	667,205.97
MANHEIM			.29-					1,000.00			8,436.81	1,505,672.48	266,602.95
NEWPORT			.06				3,078.29	1,000.00	112.34		2,812.27	868,715.85	291,274.02
NORWAY			.18					850.00			2,812.27	405,472.07	758,155.76
OHIO			.73-		883.78	1,521.71		1,200.00			2,812.27	1,262,917.69	706,498.91
RUSSIA			.07					1,200.00	600.79		8,436.81	1,333,461.82	671,300.03
SALISBURY			.46-					1,000.00			2,812.27	907,943.81	775,611.10
SCHUYLER			.13		333.50			1,000.00	356.37		8,436.81	1,257,401.24	374,555.01
STARK			.05-					850.00			2,812.27	391,684.14	477,423.00
WARREN			.24					850.00			2,812.27	545,733.17	4,623,183.35
WEBB			.56-	1,694.54	720.47			1,650.00			5,624.54	10,189,695.44	377,997.22
WINFIELD		800.00	.06					448.61			5,624.54	756,947.23	16,946,673.20
TOTALS:	2,800.00		3.10-	1,694.54	2,357.73	1,568.33	20,298.55	20,250.00	7,494.56	541,618.51	165,924.00	34,539,602.88	5:

TOWN	DISTRICT	AMT VALUE	TO RAISE	CALC RATE	RAISED
COLUMBIA	FD010 TOM	72,283,787.00	82,220.31	1.137465	82,220.28
	LT010 TOM	1,971,900.00	900.00	.456413	900.00
DANUBE	FD020 TOM	52,955,037.00	41,898.00	.791200	41,898.03
FAIRFIELD	FD040 TOM	140,823,745.00	76,604.00	.543971	76,604.03
FRANKFORT	FD050 TOM	6,187,984.00	16,491.00	2.665004	16,491.00
	FD060 TOM	21,842,105.00	46,094.00	2.110328	46,094.01
	FD070 TOM	39,282,510.00	79,496.00	2.023700	79,496.02
	FD080 TOM	81,412,752.00	114,921.00	1.411585	114,921.02
	FD090 TOM	64,011,666.00	169,579.00	2.649189	169,579.00
	FD100 TOM	98,300.00			
	HD010 TOM	288,280,439.00			
	LT020 TOM	22,789,297.00	11,950.00	.524369	11,950.00
	LT030 TOM	62,647.00			
	LT040 TOM	18,776,111.00	16,550.00	.881439	16,550.00
	LT050 TOM	2,384,800.00	230.00	.096444	230.00
	LT060 TOM	842,010.00	620.00	.736333	620.00
	LT070 TOM	1,489,700.00	910.00	.610861	910.00
	LT075 TOM	4,640,400.00	9,100.00	1.961038	9,100.00
	SD003 TOC	3,083,865.00	1,440.00	.466947	1,440.00
	SD003 TOM	3,083,865.00			
	SD003 UN	23.00	2,930.00	127.391304	2,929.99
	SD004 UN	30.50	960.00	31.475410	960.00
	SD010 TOC	107,481,851.00	103,036.94	.958645	103,036.94
	SD015 TOC	6,632,594.00	651.21	.098183	651.21
	SD020 UN	19,000.00			
	SD021 TOM	3,000.00			
	SD025 UN	718.00	28,750.00	40.041783	28,750.00
	SD026 UN	408.00			
	SD027 UN	59.00			
	SD10A TO	2,031,400.00			
	SD10B UN	15.00			
	SD100 TO	2,031,400.00	3,947.00	1.942995	3,947.00
	WD017 TOM	532,300.00			
	WD018 TOM	502,400.00			
	WD020 TOM	5,837,949.00	1,250.00	.214116	1,250.00
	WD026 UN	408.00			
WD030 TOM	10,110,087.00	940.00	.092976	940.00	
WD040 TOM	9,075,988.00	20,924.00	2.305424	20,924.00	
WD045 UN	5.00				
WD046 UN	190.00	6,840.00	36.000000	6,840.00	
WD050 TOM	3,032,700.00				
WD055 UN	9.00				
WD060 TOM	357,600.00				
WD070 TOM	3,648,920.00				

TOWN	DISTRICT	AMT VALUE	TO RAISE	CALC RATE	RAISED
	WD080 TOM	1,402,015.00	810.00	.577740	810.00
	WD090 TOM	1,493,110.00			
	WD091 TOM	3,000.00			
	WD100 TOM	2,628,000.00			
	WD110 TOM	14,358,610.00	640.00	.044573	640.01
	WD115 FR	1,190.52			
	WD117 UN	32.90			
	WD120 TOM	88,580.00			
	WD120 UN				
	WD121 TOM	4,640,400.00			
	WD122 UN	2.00	335.00	167.500000	335.00
	WD123 TOC	1,391,000.00	1,735.00	1.247304	1,735.00
	WD124 UN	30.50			
	WD125 TOM	4,235,800.00			
	WD126 UNC	2.00			
	WD127 TOM	18,300.00			
	WD128 UN	1.00	230.00	230.000000	230.00
	WD20A TO	2,031,400.00			
	WD20B UN				
	WD200 TO	2,031,400.00	245.00	.120606	245.00
GERMAN FLATTS	FD110 TOM	85,981,179.00	97,986.00	1.139621	97,985.96
	HD010 TOM	144,403,098.00	2,000.00	.013850	1,999.98
	LT080 TOM	1,964,450.00	2,905.00	1.478785	2,905.00
	MH001 TOM	2,318,400.00	22,272.00	9.606625	22,272.00
	SD010 TOC	276,896,783.00	238,901.14	.862780	238,901.01
	SD015 TOC	31,717,374.00	2,802.71	.088365	2,802.71
	WD130 TOM	1,520,072.00	3,055.00	2.009773	3,055.00
	WD135 TOM	11,624,170.00	3,522.00	.302989	3,522.00
HERKIMER	FD120 TOM	130,245,964.00	125,312.00	.962118	125,311.99
	LT090 TOM	1,148,076.00			
	LT100 TOM	39,200,732.00	13,600.00	.346932	13,599.99
	LT110 TOM	4,896,633.00	2,500.00	.510555	2,500.00
	SD005 TO	8,900,000.00			
	SD006 UN	20.00	3,848.00	192.400000	3,848.00
	SD007 UN	24.00	480.00	20.000000	480.00
	WD005 TO	8,900,000.00			
	WD10A UN				
	WD100 UN	1.00			
	WD140 TOM	28,052,189.00			
	WD140 UNC	526.50			
	WD150 TOM	6,049,000.00			
LITCHFIELD	FD010 TOM	77,694,732.00	88,375.07	1.137465	88,375.04

TOWN	DISTRICT	AMT VALUE	TO RAISE	CALC RATE	RAISED
LITTLE FALLS	FD140 TOM	59,951,351.00	63,420.00	1.057858	63,420.02
MANHEIM	FD155 TO	122,635,173.00	329,624.00	2.687842	329,623.97
NEWPORT	FD165 TO	92,776,467.00	91,911.00	.990671	91,910.96
	FD175 TOM	9,651,000.00	8,822.00	.914102	8,822.00
	FD205 TO	17,429,128.00	15,520.00	.890463	15,519.99
NORWAY	FD165 TO	52,608,132.00	75,306.00	1.431452	75,306.02
	FD205 TO	10,587,770.00	12,985.00	1.226415	12,985.00
OHIO	FD205 TO	113,440,364.00	101,987.00	.899036	101,986.97
	FD215 TOM	83,152,194.00	6,000.00	.072157	6,000.01
RUSSIA	FD205 TO	169,418,242.00	154,564.00	.912322	154,563.99
	FD230 TOM	27,642,222.00	13,996.92	.506360	13,996.92
SALISBURY	FD240 TOM	131,410,219.00	223,421.00	1.700180	223,421.03
	LT120 TOM	15,348,935.00	9,200.00	.599390	9,200.00
	LT130 TOM	5,628,345.00	2,750.00	.488598	2,750.00
	LT140 TOM	1,202,338.00	1,800.00	1.497083	1,800.00
	LT150 TOM	7,435,774.00	4,000.00	.537940	4,000.00
SCHUYLER	FD250 TOM	157,158,386.00	181,254.00	1.153321	181,254.07
	LT160 TOM	5,157,100.00	2,000.00	.387815	2,000.00
	SD030 UNM	339.01	47,924.00	141.364562	47,924.00
	WD160 TOM	1,824,500.00			
	WD165 TOC	5,051,100.00			
	WD165 UNM	51.00			
	WD170 TOC	20,244,660.00			
	WD170 UNM	267.00			
WD175 TOM	15,699,216.00				
STARK	FD260 TOM	29,614,203.00	68,598.00	2.316389	68,598.01
	WD300 TOM	6,378,900.00	13,000.00	2.037969	13,000.00
WARREN	FD280 TOM	48,355,263.00	38,930.00	.805083	38,930.00
	LT170 TOM	1,071,200.00	2,800.00	2.613891	2,800.00
	LT180 TOM	2,605,698.00	3,500.00	1.343210	3,500.00
	LT190 TOM	513,620.00	1,000.00	1.946965	1,000.00

TOWN	DISTRICT	AMT VALUE	TO RAISE	CALC RATE	RAISED
WEBB	FD290 TOM	1,720,699,917.00	542,427.00	.315236	542,426.56
	FD291 TO	22,069,400.00	5,500.00	.249214	5,500.00
	SD040 TOC	134,877,487.00	86,180.00	.638950	86,179.97
	SD040 UNM	940.50	205,469.00	218.467836	205,468.99
	WD190 TOC	213,351,090.00	103,970.00	.487319	103,970.04
	WD190 TOM	190,572,190.00			
WINFIELD	FD300 TO	60,751,378.00	114,496.62	1.884675	114,496.60
	FD310 TO	10,048,323.00	11,429.62	1.137465	11,429.62
	HD010 TO	97,764,702.00	800.00	.008183	800.01



HERKIMER COUNTY LEGISLATURE

No. 319

REPORT AND RESOLUTION RELEVYING UNPAID SCHOOL, VILLAGE AND CITY TAXES

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the report of the Herkimer County Treasurer dated November 30, 2017 showing the amounts of taxes paid to the County Treasurer and the amount to be relieved as listed, namely \$4,985,384.80 of unpaid school taxes and \$1,552,520.87 of unpaid city and village taxes, respectfully reports that we have examined said report and recommend as follows:

RESOLVED, that the amounts of unpaid school taxes in the sum of \$4,985,384.80 with the addition of 7% and the amounts of unpaid city and village taxes in the sum of \$1,552,520.87 with the addition of 7% be relieved upon and collected from the lands of the several towns and the City of Little Falls as herewith listed, upon which the same were originally imposed.

Dated: December 13, 2017.



Kimberlee A. Enea
Herkimer County Treasurer

LAWS + MEANS

109 Mary Street
Suite 2419
Herkimer, New York 13350

Tel: 315-867-1145
Fax: 315-867-1315
e-mail: kenea@herkimercounty.org

RECEIVED

November 30, 2017

Date 11/30/17

2

TO: The Honorable Legislators of Herkimer County
Clerk Herkimer County Legislature

FROM: Kimberlee A. Enea, Herkimer County Treasurer

I, Herewith, transmit to you accounts of unpaid 2017 School Taxes duly certified and filed in the office by the Collectors of the several School Districts of the County, pursuant to Section 1330, Sub Division 2 of Real Property Tax Laws:

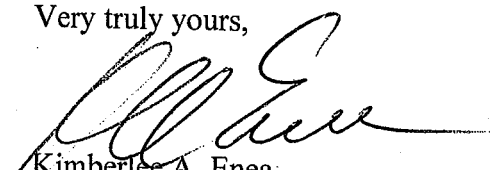
2017 School taxes returned to County Treasurer	\$ 8,612,513.01
State Land	\$ 3,385,576.31
New Return – School taxes	\$ 5,226,936.70
Amount paid to County Treasurer	\$ 241,551.90
Amount to be reassessed as per list	\$ 4,985,384.80

Also, I transmit to you accounts of the unpaid 2017 Village and City Taxes duly certified and filed in this office by the collectors of the several Villages and City of the County, pursuant to Section 1442 of the Real Property Tax Law:

2017 Village taxes returned to County Treasurer	\$ 1,588,566.65
Amount paid to County Treasurer	\$ 36,045.78
Amount to be reassessed as per list	\$ 1,552,520.87

Trusting these amounts will meet with your approval, I am

Very truly yours,


Kimberlee A. Enea
Herkimer County Treasurer

KAE/jlc
Enc

2017-2018
RETURNED SCHOOL TAXES

	<u>AMOUNT RETURNED</u>	<u>AMOUNT PAID</u>	<u>AMOUNT TO BE REASSESSED</u>
<u>COLUMBIA</u>			
Central Valley	77,520.92	3,345.87	74,175.05
Mt Markham	41,372.05	4,650.73	36,721.32
Owen D. Young	6,074.09	572.84	5,501.25
Richfield Springs	30,821.89	0.00	30,821.89
TOTAL COLUMBIA	\$155,788.95	\$8,569.44	\$147,219.51
<u>DANUBE</u>			
Fort Plain	31,028.08	4,801.03	26,227.05
Little Falls	184,306.98	15,348.46	168,958.52
Owen D. Young	1,194.73	0.00	1,194.73
OESJ	14,131.45	0.00	14,131.45
TOTAL DANUBE	\$230,661.24	\$20,149.49	\$210,511.75
<u>FAIRFIELD</u>			
Dolgeville	0.00	0.00	0.00
Little Falls	11,510.41	0.00	11,510.41
West Canada Valley	167,033.22	11,017.14	156,016.08
TOTAL FAIRFIELD	\$178,543.63	\$11,017.14	\$167,526.49
<u>FRANKFORT</u>			
Frankfort/Schuyler	448,550.45	16,510.97	432,039.48
Central Valley	30,526.96	2,348.88	28,178.08
Mt Markham	13,162.14	1,961.01	11,201.13
New Hartford	16,071.14	0.00	16,071.14
Sauquoit	47,019.65	0.00	47,019.65
TOTAL FRANKFORT	\$555,330.34	\$20,820.86	\$534,509.48
<u>GERMAN FLATTS</u>			
Central Valley	554,789.46	41,197.20	513,592.26
Owen D. Young	1,094.77	0.00	1,094.77
TOTAL GERMAN FLATTS	\$555,884.23	\$41,197.20	\$514,687.03

2017-2018
RETURNED SCHOOL TAXES

<u>HERKIMER</u>			
Herkimer	635,058.02	25,172.76	609,885.26
Central Valley	10,901.92	692.20	10,209.72
Little Falls	10,229.54	0.00	10,229.54
West Cananda Valley	21,593.33	1,836.07	19,757.26
TOTAL HERKIMER	\$677,782.81	\$27,701.03	\$650,081.78
<u>LITCHFIELD</u>			
Central Valley	797.11	0.00	797.11
Mt Markham	121,929.98	6,531.48	115,398.50
Sauquoit	12,157.80	0.00	12,157.80
TOTAL LITCHFIELD	\$134,884.89	\$6,531.48	\$128,353.41
<u>LITTLE FALLS</u>			
Herkimer	20,526.09	0.00	20,526.09
Little Falls	164,308.02	14,128.21	150,179.81
Central Valley	9,447.22	207.40	9,239.82
Owen D. Young	11,816.93	0.00	11,816.93
TOTAL LITTLE FALLS	\$206,098.26	\$14,335.61	\$191,762.65
<u>LITTLE FALLS CITY</u>			
Little Falls C	407,323.17	19,391.06	387,932.11
TOTAL C/O LITTLE FALLS	\$407,323.17	\$19,391.06	\$387,932.11
<u>MANHEIM</u>			
Dolgeville	103,390.84	1,880.36	101,510.48
Little Falls	292,997.99	1,580.25	291,417.74
OESJ	8,030.82	0.00	8,030.82
West Canada Valley	957.68	0.00	957.68
TOTAL MANHEIM	\$405,377.33	\$3,460.61	\$401,916.72
<u>NEWPORT</u>			
Poland	21,317.78	0.00	21,317.78
West Canada Valley	171,344.13	18,099.00	153,245.13
TOTAL NEWPORT	\$192,661.91	\$18,099.00	\$174,562.91

2017-2018
RETURNED SCHOOL TAXES

<u>NORWAY</u>			
Poland	31,822.48	0.00	31,822.48
West Canada Valley	86,989.35	9,413.80	77,575.55
TOTAL NORWAY	\$118,811.83	\$9,413.80	\$109,398.03
<u>OHIO</u>			
Adirondack	11,573.45	0.00	11,573.45
Poland	115,738.23	1,129.99	114,608.24
Remsen	3,468.18	271.36	3,196.82
TOTAL OHIO	\$130,779.86	\$1,401.35	\$129,378.51
<u>RUSSIA</u>			
Adirondack	4,327.99	0.00	4,327.99
Holland Patent	7,778.00	0.00	7,778.00
Poland	125,179.57	1,687.50	123,492.07
Remsen	64,748.12	2,243.77	62,504.35
TOTAL RUSSIA	\$202,033.68	\$3,931.27	\$198,102.41
<u>SALISBURY</u>			
Dolgeville	159,281.32	3,935.94	155,345.38
Poland	560.23	530.32	29.91
TOTAL SALISBURY	\$159,841.55	\$4,466.26	\$155,375.29
<u>SCHUYLER</u>			
Frankfort/Schuyler	97,278.72	4,872.56	92,406.16
Central Valley	0.00	0.00	0.00
West Canada Valley	80,005.05	1,884.64	78,120.41
Whitesboro	106,451.98	0.00	106,451.98
TOTAL SCHUYLER	\$283,735.75	\$6,757.20	\$276,978.55

2017-2018
RETURNED SCHOOL TAXES

STARK			
Little Falls	166.89	0.00	166.89
Owen D. Young	102,621.32	6,714.92	95,906.40
TOTAL STARK	\$102,788.21	\$6,714.92	\$96,073.29
WARREN			
Owen D. Young	78,204.01	1,101.88	77,102.13
Richfield Springs	32,107.98	0.00	32,107.98
TOTAL WARREN	\$110,311.99	\$1,101.88	\$109,210.11
WEBB			
Adirondack	770.53	0.00	770.53
Poland	25,782.86	0.00	25,782.86
Webb	250,758.58	10,926.20	239,832.38
TOTAL WEBB	\$277,311.97	\$10,926.20	\$266,385.77
WINFIELD			
Mt Markham	140,985.10	5,566.10	135,419.00
TOTAL WINFIELD	\$140,985.10	\$5,566.10	\$135,419.00
GRAND TOTALS	\$5,226,936.70	\$241,551.90	\$4,985,384.80

RETURNED CITY/VILLAGE TAXES FOR 2017-2018

VILLAGE OF COLD BROOK			
<i>Amount Returned</i>	1,761.74		
<i>Amount Paid to Co Treasurer</i>		0.00	
<i>Amount to be reassessed</i>			1,761.74
VILLAGE OF DOLGEVILLE			
<i>Amount Returned</i>	80,089.87		
<i>Amount Paid to Co Treasurer</i>		1,201.53	
<i>Amount to be reassessed</i>			78,888.34
VILLAGE OF FRANKFORT			
<i>Amount Returned</i>	94,029.93		
<i>Amount Paid to Co Treasurer</i>		4,637.30	
<i>Amount to be reassessed</i>			89,392.63
VILLAGE OF HERKIMER			
<i>Amount Returned</i>	439,538.19		
<i>Amount Paid to Co Treasurer</i>		11,626.66	
<i>Amount to be reassessed</i>			427,911.53
VILLAGE OF ILION			
<i>Amount Returned</i>	380,188.04		
<i>Amount Paid to Co Treasurer</i>		11,012.44	
<i>Amount to be reassessed</i>			369,175.60
VILLAGE OF MIDDLEVILLE			
<i>Amount Returned</i>	7,634.62		
<i>Amount Paid to Co Treasurer</i>		0.00	
<i>Amount to be reassessed</i>			7,634.62
VILLAGE OF MOHAWK			
<i>Amount Returned</i>	78,247.79		
<i>Amount Paid to Co Treasurer</i>		2,452.92	
<i>Amount to be reassessed</i>			75,794.87
VILLAGE OF NEWPORT			
<i>Amount Returned</i>	5,087.20		
<i>Amount Paid to Co Treasurer</i>		533.28	
<i>Amount to be reassessed</i>			4,553.92

RETURNED CITY/VILLAGE TAXES FOR 2017-2018

VILLAGE OF POLAND			
<i>Amount Returned</i>	5,193.19		
<i>Amount Paid to Co Treasurer</i>		0.00	
<i>Amount to be reassessed</i>			5,193.19
VILLAGE OF WEST WINFIELD			
<i>Amount Returned</i>	12,050.00		
<i>Amount Paid to Co Treasurer</i>		0.00	
<i>Amount to be reassessed</i>			12,050.00
CITY OF LITTLE FALLS			
<i>Amount Returned</i>	484,746.08		
<i>Amount Paid to Co Treasurer</i>		4,581.65	
<i>Amount to be reassessed</i>			480,164.43
TOTALS			
<i>Amount Returned</i>	1,588,566.65		
<i>Amount Paid to Co Treasurer</i>		36,045.78	
<i>Amount to be reassessed</i>			1,552,520.87



HERKIMER COUNTY LEGISLATURE

No. 320

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III FOR CHANGE IN HERKIMER COUNTY DISTRICT ATTORNEY'S DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 30, 2017, Jeffrey S. Carpenter, District Attorney, has advised that his office has been awarded more funding for the position of Crime Victim's Coordinator and requests the position be reclassified to a full time position, as a 100% grant funded position; and

WHEREAS, by letter dated December 1, 2017, from Steven R. Billings, Personnel Officer your committee has been advised that the appropriate salary for said position should be amended from 30 to 35 hours per week at \$39,300 base pay and be effective as of December 18, 2017; now, therefore be it

RESOLVED, that the part time position of Victim's Coordinator in the 2017 Salary Schedule III is hereby amended to one full-time position, in Account A1169, at the base annual salary of \$39,300 effective December 18, 2017; and, be it further

RESOLVED, said position shall continue so long as funding is available; 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: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 321

REPORT AND RESOLUTION LEVYING TAXES AND ASSESSMENTS REQUIRED FOR THE PURPOSES OF ANNUAL BUDGETS OF THE TOWNS OF THE COUNTY OF HERKIMER

Sponsored by: Committee on Ways and Means

WHEREAS, there have been presented to this Legislature duly verified copies of the Annual Budgets of the several towns in the County of Herkimer for the fiscal year beginning January 1, 2018; now, therefore, be it

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

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

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

Dated: December 13, 2017.

HERKIMER COUNTY

12/11/17

2017 TOWN BUDGETS FOR 2018

RPSTNSPSPUM

TOWN	DISTRICT/DESCRIPTION	LIGHT DISTRICT	FIRE/FIRE PROT. DISTRICT	WATER DISTRICT	REFUSE DISTRICT	SEWER DISTRICT	HEALTH DISTRICT	TOWN TOTAL
GERMAN FLATTS	LT080 TOM German flatts light	2,905.00						
	MH001 TOM Manion Heights			22,272.00		238,901.01		
	SD010 TOC Herk co. sewer dist					2,802.71		
	SD015 TOC Herk co. sewer dist							
	WD130 TOM So ilion water dist			3,055.00				
	WD135 TOM Barringer wtr dist			3,522.00				
	FD120 TOM East herk fire dist		125,311.99					
	LT090 TOM West herkimer light							
	LT100 TOM East herkimer light		13,599.99					
	LT110 TOM Petrie light dist		2,500.00					
	SD005 TO Lowes Sewer #5 O&M						3,848.00	
	SD006 UN High/ Beard Imprvd						480.00	
	WD005 TO Lowes Water #5 O&M							
	WD10A UN W German Water O&M							
	WD100 UN W German Water CAP							
WD140 TOM E herk water dist								
WD140 UNC E herk water dist								
WD150 TOM Steuben hl wtr dist								
	FD010 TOM Col-litch fd #1		88,375.04					\$ 145,739.98
LITCHFIELD								
	FD140 TOM Little fls fire prot		63,420.02					\$ 88,375.04
LITTLE FALLS								
	FD155 TO East Canada Creek FD		329,623.97					\$ 63,420.02
MANHEIM								
	FD165 TO Newport Joint FD		91,910.96					\$ 329,623.97
NEWPORT								
	FD175 TOM Newport fire prot #3		8,822.00					
	FD205 TO Poland Joint FD		15,519.99					
NORWAY								
	FD165 TO Newport Joint FD		75,306.02					\$ 116,252.95

12/11/17

HERKIMER COUNTY

RPSTNSPSPUM

2017 TOWN BUDGETS FOR 2018

TOWN	DISTRICT/DESCRIPTION	LIGHT DISTRICT	FIRE/FIRE PROT. DISTRICT	WATER DISTRICT	REFUSE DISTRICT	SEWER DISTRICT	HEALTH DISTRICT	TOWN TOTAL
NORWAY	FD205 TO Poland Joint FD		12,985.00					\$ 88,291.02
OHIO	FD205 TO Poland Joint FD		101,986.97					\$ 107,986.98
	FD215 TOM Ohio fire prot #3		6,000.01					\$ 168,560.91
RUSSIA	FD205 TO Poland Joint FD		154,563.99					\$ 241,171.03
	FD230 TOM Remsen fire #2		13,996.92					
SALISBURY	FD240 TOM Salisbury fire dist		223,421.03					
	LT120 TOM Salisbury light #1	9,200.00						
	LT130 TOM Salisbury light #2	2,750.00						
	LT140 TOM Salisbury light #3	1,800.00						
	LT150 TOM Salisbury light #4	4,000.00						
SCHUYLER	FD250 TOM Schuyler fire dist		181,254.07					\$ 231,178.07
	LT160 TOM Schuyler light #1	2,000.00						
	SD030 UNM Schuyler sewer #1					47,924.00		
	WD160 TOM Schuyler water #1							
	WD165 TOC Schuyler water #4							
	WD165 UNM Schuyler water #4							
	WD170 TOC Schuyler water #2							
	WD170 UNM Schuyler water #2							
	WD175 TOM Schuyler water #3							
STARK	FD260 TOM Stark fire dist #1		68,598.01					\$ 81,598.01
	WD300 TOM Stark Water Dist			13,000.00				
WARREN	FD280 TOM Warren fire prot		38,930.00					\$ 46,230.00
	LT170 TOM Warren light #1	2,800.00						
	LT180 TOM Warren light #2	3,500.00						
	LT190 TOM Warren light #3	1,000.00						

HERKIMER COUNTY

12/11/17

2017 TOWN BUDGETS FOR 2018

RPSTNSPESUM

TOWN	DISTRICT/DESCRIPTION	LIGHT DISTRICT	FIRE/FIRE PROT. DISTRICT	WATER DISTRICT	REFUSE DISTRICT	SEWER DISTRICT	HEALTH DISTRICT	TOWN TOTAL
WEBB	FD290 TOM Webb fire dist #1		542,426.56					
	FD291 TO Stillwater Fire Prot		5,500.00					
	SD040 TOC Webb sewer #b-1					86,179.97		
	SD040 UNM Webb sewer #b-1					205,468.99		
	WD190 TOC Webb water dist			103,970.04				
	WD190 TOM Webb water dist							
WINFIELD	FD300 TO Winfield Fire Dist		114,496.60					
	FD310 TO Col-Lit-Win Fire		11,429.62					
	HD010 TO Cons Health Dist							800.01
								\$ 943,545.56
								\$ 126,726.23

TOTAL: \$ 3,995,370.97



HERKIMER COUNTY LEGISLATURE

No. 322

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

Sponsored by: Committee on Education

WHEREAS, by request dated November 30, 2017 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 November 29, 2017, the College Board of Trustees approved by Resolution No. 17-3, Replacement of Turf at Wehrum Stadium project; and

WHEREAS, by said letter, this Legislature is further advised that the capital budget for the Replacement of Turf at Wehrum Stadium Project is \$700,000, with 50% of the local share coming from the Faculty Student Association of Herkimer County Community College and 50% from the state, with no additional funds being requested from the County; now, therefore, be it

RESOLVED, that the Board of Trustees Resolution 17-03, Replacement of Turf at Wehrum Stadium Project at Herkimer County Community College is hereby approved in the amount of \$700,000, and said Project shall be funded from the Faculty Student Association of Herkimer County Community College and 50% from the state, with no additional funds being requested from the County; 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.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 323

REPORT AND RESOLUTION APPROVING APPLICATION FOR AGRICULTURAL FARMLAND PROTECTION GRANT

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

WHEREAS, by Resolution No. 39 of 2003, this Legislature approved the Herkimer County Agricultural Farmland Protection Plan; and

WHEREAS, by letter dated December 5, 2017, John Haughton, Farmland Protection Board Chairman has requested a resolution authorizing an application to the New York State Department of Agriculture and Markets for a grant, with a county commitment of up to \$10,000, for an update to the plan; now, therefore, be it

RESOLVED, that this Legislature hereby approves application to the New York State Department of Agriculture and Markets for a grant, with a county commitment of up to \$10,000; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into all necessary agreements with the New York State Department of Agriculture and Markets in connection with said grant; and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 324

REPORT AND RESOLUTION RATIFYING AGREEMENT BETWEEN THE COUNTY OF HERKIMER AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 7, 2017, from Robert J. Malone, Herkimer County Attorney, this Legislature is advised that by communication dated December 7, 2017, a representative of the United Public Service Employees Union has advised that its members in the County Highway Department ratified a collective bargaining agreement with the County of Herkimer for the period of 3 years, from January 1, 2018 to December 31, 2020, which agreement is subject to approval by the Herkimer County Legislature; and

WHEREAS, the Herkimer County Legislature is satisfied that the ratification of this Agreement is in the best interest of both the County of Herkimer and its employees represented by the United Public Service Employees Union; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby ratifies and approves the collective bargaining agreement entered into with the United Public Service Employees Union covering a term of 3 years, from January 1, 2018 to December 31, 2020;
2. That the Chairman of the Herkimer County Legislature be, and he hereby is, authorized to execute said agreement on behalf of the County of Herkimer;
3. That the Salary Schedule for the year 2018 be amended to reflect the changes in wages and salaries required by this agreement.
4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, United Public Service Employees Union and County Highway Superintendent.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 325

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II FOR POSITION CHANGE IN HERKIMER COUNTY ATTORNEY'S OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 6, 2017, Robert J. Malone, County Attorney, has requested that the position of Assistant County Attorney be modified to two days per week, with a proportionate decrease in salary for the position in the 2017 Salary Schedule II; and

WHEREAS, by letter dated December 6, 2017, Steven R. Billings, Personnel Officer your committee has been advised that the appropriate salary for said position should be \$31,530 base pay and be effective as of December 13, 2017; now, therefore be it

RESOLVED, that one position of Assistant County Attorney in the 2017 Salary Schedule II at three days per week be amended to two days a week, in Account A1420, at the base annual salary of \$31,530 effective December 13, 2017; and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 326

REPORT AND RESOLUTION APPROVING CONTRACT FOR ARCHITECT FOR ROOF REPLACEMENT PROJECTS

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

WHEREAS, by Resolution No. 193 duly adopted on August 9, 2017 this Legislature established a Reserve Account to maintain funds for the Herkimer College RMCC and Technology building roof repair; and

WHEREAS, by letter dated November 30, 2017 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. 17-4 dated November 29, 2017 which authorizes a contract with CS Arch to provide architectural services for the RMCC and Technology building roof repair in the amount of \$12,000 plus a combined cost of \$8,000 for the roof scan, to be paid from college operating funds; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby approves a contract for architectural services with CS Arch, 40 Beaver Street, Albany, NY 12207 for the RMCC and Technology building roof repair in the amount of \$12,000 plus a combined cost of \$8,000 for the roof scan to be paid from college operating funds; and, be it further
2. 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 CS Arch Architects.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 327

REPORT AND RESOLUTION APPROVING CONTRACT FOR CONSULTANT SERVICES FOR SMART GRID LABORATORY

Sponsored by: Committee on Education

WHEREAS, by Resolution No. 262 duly adopted on November 16, 2016 this Legislature approved the Herkimer County Community College Smart Grid Training Laboratory Project; and

WHEREAS, by letter dated November 30, 2017 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. 17-5 dated November 29, 2017 which authorizes a contract with Dr. Ilya Grinberg to provide consultant services for the Smart Grid Laboratory, with the following scope of services:

- Assist with the development of a curriculum for certificate and associate degree programs
- Assist in the development of an accreditation process
- Assist in the development of transfer agreements for college students to four-year institutions
- Assist in the creation of the Smart Grid Laboratory from a physical plant standpoint
- Work with suppliers to properly equip the Smart Grid Laboratory

now, therefore be it

RESOLVED:

1. That the Herkimer County Legislature hereby approves a contract for consultant services with Dr. Ilya Grinberg, 75 Daigler Courts, East Amherst, NY 24051 for services associated with the Smart Grid Laboratory in the amount of \$18,000; and, be it further

2. 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 Dr. Ilya Grinberg.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 328

REPORT AND RESOLUTION APPROVING CONTRACT FOR ARCHITECT FOR FIELD TURF REPLACEMENT PROJECT

Sponsored by: Committee on Education

WHEREAS, by Resolution No. 322 duly adopted on December 13, 2017 this Legislature approved the Herkimer County Community College Resolution 17-3, Replacement of Turf at Wehrum Stadium project; and

WHEREAS, by letter dated November 30, 2017 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. 17-6 dated November 29, 2017 which authorizes a contract with CS Arch to provide for review and management of the project, in the amount of \$9,000, with 50% of the local share coming from the Faculty Student Association and 50% from the state; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves a contract with CS Arch, 40 Beaver Street, Albany, NY 12207 to provide cost for review and management of the project, in the amount of \$9,000; 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 CS Arch Architects.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 329

RESOLUTION AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2018

Sponsored by: Committee on Ways & Means

RESOLVED, that the following county officials and employees be, and they hereby are, authorized during the year 2018 to attend the following official and unofficial conventions and conferences of municipal officers which this Legislature believes to be for the benefit of the County of Herkimer, and that while in attendance at such conventions they will be reimbursed for the expenses actually and necessarily incurred for transportation and hotel expenses and expenses pertaining to said conventions, which amounts shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid.

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

AGING, OFFICE FOR - DIRECTOR: Conferences and meetings called by the New York State Office for Aging and Point of Entry conferences and meetings. Also, the Nutrition Services Coordinator, Registered Dietician, Caseworker, Aging Services Assistant, WRAP Coordinator and Home Energy Assistance Examiners to attend all conferences and training sessions to be conducted by the New York State Office for Aging (approximately six). Nutrition Services Coordinator - meetings called by New York State Association of Nutrition and Aging Services Programs and the Aging Services Dieticians of NYS. Any training on cultural competency including those conducted by the Mohawk Valley Center for Refugees, approximately 3 per year. Any training conducted by the Alzheimer's Association, approximately 3 per year.

COUNTY ATTORNEY AND ASSISTANT COUNTY ATTORNEYS: New York State Association of Counties and New York State County Attorneys Association, Central New York Bankruptcy Bar Association Conference, NYS Public Employer Labor Relations Association.

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

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

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

CORONERS: (Four coroners) NYSACCME

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

RECORDS MANAGEMENT: NYALGRO Meetings

INFORMATION SERVICES: Data Processing Directors Conferences (NYSLGITDA) (Spring & Fall)

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

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

ELECTIONS, COMMISSIONERS OF THE BOARD OF: New York State Election Commissioners Association, Annual Seminar of Election Commissioners (Winter Conference), Summer Conference of Election Commissioners, Attendance of one Deputy Commissioner of Elections at the Annual Seminar of Election Commissioners (Winter Conference) and Summer Conference on an alternating basis.

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

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

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

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

SENIOR CIVIL ENGINEER: New York State Land Surveyors Conference.

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

LEGISLATORS: New York State Association of Counties, MVEDD, NACO, EDGE Awards

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

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

PROBATION DIRECTOR: New York State Probation Administrators Conferences, New York
State Association of Counties, New York State Office of Probation and Correctional Alternatives
Conference, Training Seminars and Statewide Symposium for Probation Directors, New York
Association of Pre-trial Service Agencies Conferences/Training, New York State Office of
Probation and Correctional Alternatives, and/or New York State Office of Children and Family
Services Conferences/Training relating to PINS Adjustment Services Program, Annual
Symposium on State/Local Corrections, New York State Probation Officers Conference,
American Probation & Parole Association Training Institute/Conferences.

PROBATION SUPERVISOR (two): New York State Office of Probation and Correctional
Alternatives Conferences and Training Seminars, New York State Association of Pretrial Service
Agencies Conferences and Training, New York State Office of Probation and Correctional
Alternatives and/or New York State Office of Children and Family Services
Conferences/Training relating to PINS Adjustment Services Program, Annual Symposium on
State/Local Corrections, New York State Probation Officers Conference, American Probation &
Parole Association Training Institutes/Conferences.

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

PUBLIC HEALTH NURSING SERVICE - DIRECTOR OF PUBLIC HEALTH OR
DESIGNEE: New York State Association of Counties Meetings/Conference, Director of Public
Health to attend Conferences/Meetings called by Commissioner of Health and nine meetings per
year, Infection Control Conference/Meeting, Perinatal Conference. Suicide Prevention Coalition.
Immunization Action Plan Grant - Annual Immunization Action Conference. Early Intervention-
Annual Early Intervention Conference, St. Luke's Development Intervention Conference,
Training for Family Service Specialists as needed for new employees.

REAL PROPERTY TAX SERVICE AGENCY - DIRECTOR: New York State RPTAC Valuation Issues Meetings, New York State Association of Counties and Towns, State continuing education courses to fulfill annual requirements; New York State Directors Association Conference/meetings (Spring & Fall); North East Regional Directors Society Meeting (Spring & Fall); County Assessors, Real Property Tax Specialist, Real Property Tax Aide, Senior Tax Map Technician and Tax Map Technician to attend meetings and work related seminars, training sessions and courses. All other departmental employees in need of attending training courses, as approved by the County Administrator. Assessor Aide to attend training session to receive certification.

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

SEWER DISTRICT EMPLOYEES: Employees holding Operator Certificates be allowed to attend training seminars to achieve re-certification continuing education points.

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

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

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

SHERIFF AND UNDERSHERIFF: Law Enforcement Training Directors Association of New York State, New York State Sheriffs' Association, Bureau of Municipal Police and New York State Commission of Correction. Also, as needed, employees to attend programs sponsored by: NYS Preparedness Center/Homeland Security, NYS Sheriff's Association, NYS Department of Corrections, NYS County Correctional Instructors Association, NYS Police Conferences, Training or Seminars, NYS Office of Mental Health, NYS Division of Criminal Justice Services, East Coast Gang Investigators Association Conferences, National Institute of Justice, International Association of Hostage Negotiators, NYS Association of Incarcerated Education Programs, NYS Department of Environmental Conservation, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Corrections, New York State County Correctional Instructors Association, National Police Bloodhound Association, Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) Annual Meeting/Conference, NYS Commission of Correction, NYS DARE Officers Association, NYS Welfare Fraud Investigators, NYS Office of Parks, Recreation and Historic Preservation, Federal Bureau of Investigation and National Institute of Corrections, NYS Division of Criminal Justice Services and Office of Public Safety, National Sheriffs Association,

Black Creed Integrated Systems, NYS Association of Counties, Linstar, Inc., Governor's Traffic Safety Committee, Glock Professional.

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

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

STOP-DWI PROGRAM COORDINATOR: STOP-DWI Coordinators meetings, New York State Department of Motor Vehicle Conferences and up to 5 other attendees from the Law Enforcement /Probation Community, and Seminars pertaining to the STOP-DWI Program.

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

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

Dated: December 13, 2017



HERKIMER COUNTY LEGISLATURE

No. 330

RESOLUTION AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2018

Sponsored by: Committee on Ways & Means

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

COUNTY OFFICER/EMPLOYEE	ASSOC. /ORGANIZATION	AMOUNT
Director, Office for Aging	NYS Assoc. of Area Agencies	\$1,450.00
	NYS Coalition for the Aging	\$150.00
Nutrition Services Coordinator	Meals on Wheels Association of America	\$200.00
County Attorney	County Attorneys' Assoc. of State of New York	\$411.00
	NYS Public Employer Labor Relations Assoc.	\$215.00
Budget Officer/Purchasing Agent	SAMPO State Association of Municipal Officers (2 @\$50/ea.)	100.00
Personnel Officer	Society for Human Resources Management	\$199.00
	NYS Assoc. County Personnel & Civil Service Officer	\$100.00
Clerk of Legislature	NYS Assoc. of Clerks of Legislative Boards	\$100.00
County Administrator	NYS Co. Administrators Assoc	\$400.00
County Clerk and Deputy County Clerk	NYS Assoc. of County Clerks	\$300.00
	NYALGRO (3 memberships @\$30)	\$90.00
	Property Records Industry Assoc.	\$60.00
	National Safety Council	\$395.00
	Co. Clerks Assoc. Conf. (up to 2 ppl @\$50/ea.)	100.00
Dir. Of Weights & Measures	NYS Assoc. Weights & Meas.	\$25.00
	NYS Conference on Weights & Meas.	\$75.00
	Semi-Annual NYS Central Group Conference & Training	\$40.00

Election Commissioners (2)	NYS Election Commissioners Assoc. 50/ea.	\$100.00
Deputy Election Commissioners (2)	NYS Election Commissioners Assoc. 20/ea.	\$40.00
Employment & Training Dir	NYATEP/NAPTEP/NASAC ESOYES	\$3,000.00 \$150.00
Exec. Dir of Youth Bureau	NYS Association of Youth Bureaus	\$200.00
Coroners	NYSACCME (4 @ \$110/ea.)	\$440.00
Highway Superintendent/ Deputy Highway Supt.	NYS County Highway Supt. Association NYS County Hwy. Supt. Conferences NYS Bridge Conference	\$350.00 \$1,400.00 \$200.00
Senior Civil Engineer	NYS Land Surveyors Conference	\$900.00
Legislators	NYS Assoc. of Counties Nat'l Assoc. Of Counties EDGE Awards (Chairman & Chairman of Co. Planning & Dev.) (2@\$60/ea.)	\$8,660.00 \$1,290.00 \$120.00
Director of Community Services	NYS Conf. of Local Mental Hygiene Directors	\$2,478.18
Director of Emergency Services	NYS Fire Coordinators' Assoc. (Director and Deputies) NYS Emergency Managers Assoc. Region III Emergency Management Assoc. NYS 911 Coordinators Assoc. (Director and Communications Supervisor)	\$180.00 \$80.00 \$60.00 \$80.00
Probation Director	NYS Council of Probation Administrators American Probation and Parole Assoc. NYS Assoc. for Pretrial Service Agencies NYS Probation Officers Assoc. Administrative Member	\$650.00 \$50.00 \$25.00 \$12.50
Probation Supervisor (2)	NYS Probation Officers Assoc. (\$30/ea.) NYS Pretrial Services Agencies (\$30/ea.)	\$60.00 \$60.00
Senior Probation Officer (2) Probation Officers/Trainees(to 12)	NYS Probation Officers/ Assoc. (\$30 ea.)	\$420.00
Probation Officer (1)	NYS Assoc. for Pretrial Service Agencies (\$25/ea)	\$25.00
District Attorney	NYS District Attorneys' Assoc. (D.A. & Asst. D.A.)	\$762.62

Director of Public Health	NYS Assoc. of County Health Officials	\$1,944.38
	Infection Control Assoc	\$20.00
	NYS Perinatal Association	\$345.00
Dir. Of Information Services	NYS Directors of Data Processing Assoc	\$50.00
Real Property Tax Director	NYSAC- Conference Registration	\$300.00
	NYS County Directors Assoc.	\$200.00
	Northeast Regional Directors Assoc.	\$30.00
	NYS Assessors' Assoc. (1@\$85.00)	\$85.00
	NYS Assessors' Assoc. (1@115.00)	\$115.00
	Herkimer County Assessors' Assoc. (5 towns) \$20 each	\$100.00
	Continuing Education: Assessors Training	\$700.00
Sheriff	NYS Sheriffs' Assoc.	\$270.00
	NYS Welfare Fraud Assoc.	\$60.00
	LETD NYS (Law Enforcement Training Directors)	\$60.00
	NYS D.A.R.E. Officers Assoc.	\$40.00
	NYS Co. Correctional Instructors Assoc.	\$40.00
	American Jail Association	\$144.00
	NYS Association of Traffic Safety Boards	\$75.00
	Int'l Assoc. of Hostage Negotiators	\$25.00
	East Coast Gang Investigators Assoc.	\$45.00
	NYS Assoc. of Incarcerated Education Programs, Inc.	\$25.00
	Nat'l Assoc. of Chiefs of Police	\$50.00
	American Safety and Health Institute	\$80.00
	Central NY Assoc. of Chiefs of Police	\$50.00
	NY Academy of Fire Science	\$50.00
	NYS Police Juvenile Officer Association	\$60.00
	National Sheriff's Dues	\$110.00
Dept. of Social Services	American Public Human Services. Assoc.	\$700.00
	NYS Public Welfare Assoc.	\$4,158.00
	NY Welfare Fraud Investigators Assoc.	\$25.00
Director of Administrative Services	Fiscal Administrators' Assoc of NYS Public Welfare Assoc.	\$25.00
Staff Development	NYS Staff Development Assoc.	\$25.00
Supervisor-Sewer District-Plant Operator	NYS Water Environment Federation (NYS Water Environment Assoc.) total	\$550.00
	Recertifying 3A Certificates (2 @200/ea.)	400.00

STOP-DWI Coordinator	NYS STOP-DWI Coordinators' Assoc.	\$900.00
	NYS Assoc. of Traffic Safety Bds.	\$100.00
	Mohawk Valley School Resource Officers Coalition	\$20.00
	NYS Statewide Accident Reconstruction Society (2 police officers)	\$170.00
County Treasurer/Deputy Treasurer	NYS County Treasurer' & Finance Officers' Assoc. (3 @ \$180.00)	\$540.00
	Treasurer's Association Dues	\$50.00
	Quarterly Treasurer Meetings	\$100.00
	NYS Co. Treasurer & Finance Officers Assoc. Summer Conference	\$225.00
Veterans' Service Officer	County Veterans Service Officers Assoc of NYS, Inc	\$30.00
	American Legion	\$35.00
	National County Veterans' Service Organization	\$30.00
	Veterans of Foreign Wars	\$45.00
Planning Board Chairman	NYS Planning Federation	\$350.00

and, be it further

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 331

RESOLUTION MAKING DETERMINATIONS AND FINDINGS IN CONNECTION WITH THE EMINENT DOMAIN PROCEDURE LAW REGARDING THE ACQUISITION OF A PARCEL IN CONNECTION WITH THE PROPOSED HERKIMER COUNTY CORRECTIONAL FACILITY

Sponsored by: Committee on Public Safety & Emergency Management

WHEREAS, the Herkimer County Legislature conducted a public hearing on October 11, 2017 in connection with the proposed acquisition of certain lands consisting of 26.90 acres on NYS Route 28 having tax map parcel numbers 113.65-2-5 and 113.65-2-6 in the Village of Herkimer and tax map parcel number 113.3-1-11 in the Town of Herkimer; and

WHEREAS, the purpose of that public hearing was to inform the public and review the public use to be served by the proposed public project, any impact on the environment and residents of the locality where such project would be constructed; after giving due notice in accordance with the statute, the purpose, proposed location, the impact on the environment and residents of the locality were outlined, and maps and property descriptions of the parcel were presented, made available and submitted; and

WHEREAS, thereafter the public was given the opportunity to present oral or written statements and submit other documents concerning the project, and oral statements and written statements were submitted by the public; and

WHEREAS, after the conclusion of the public hearing, it is necessary for the County to make its Determination and Findings concerning the public project, which must specify the public use, benefit or the purpose to be served by the proposed public project, approximate location for the proposed project and the reasons for the selection of that location, and the general effect of the proposed project on the environment and the locality; now, therefore be it

RESOLVED, the Herkimer County Legislature hereby makes, adopts and approves the Determination and Findings attached hereto in connection with the proposed acquisition of real property for the construction of the Herkimer County Correctional Facility; and, be it further

RESOLVED, that the Chairman of this Legislature and the Herkimer County Attorney are hereby authorized to take all necessary steps to comply with the requirements of the Eminent Domain process, and to respond to any judicial review of this process.

Dated: December 13, 2017.

DETERMINATION AND FINDINGS
OF THE HERKIMER COUNTY LEGISLATURE
IN CONNECTION WITH THE PROPOSED ACQUISITION OF
REAL PROPERTY FOR CONSTRUCTION OF A NEW
HERKIMER COUNTY CORRECTIONAL FACILITY

The Herkimer County Legislature conducted a public hearing on October 11, 2017 in connection with the proposed acquisition of certain lands consisting of 26.90 acres fronting on State Route 28 known as Tax Map Parcel Numbers 113.65-2-5 and 113.65-2-6 in the Village of Herkimer and Tax Map Parcel Number 113.3-1-11 in the Town of Herkimer.

A statement concerning the public use of the site proposed for acquisition for construction of a new Herkimer County Correctional Facility was presented by Herkimer County Attorney Robert J. Malone. The property proposed to be acquired is shown on the survey map of Blanchard Land Surveying, J. Scott Blanchard, Licensed Surveyor, dated January 19, 2012. The map entitled "Map Showing Lands to be Conveyed to the County of Herkimer" was introduced into the record at the Public Hearing held on October 11, 2017 as Exhibit 1. Additionally, an aerial orthophoto map was introduced at the public hearing as Exhibit 2. A description of the property to be acquired completed by Blanchard Land Surveying entitled "Description of Lands to be conveyed to the County of Herkimer" was introduced at the public hearing as Exhibit 3.

County Attorney Robert Malone presented a statement that the proposed public use of the property to be acquired would be for a new Herkimer County Correctional Facility. Mr. Malone stated that the public use served by a new Herkimer County Correctional Facility will be to provide proper care of inmates and to provide for the safety, health and welfare of the general public.

Additionally, County Attorney Malone introduced a copy of Resolution Number 40 of 2011 adopted by the Herkimer County Legislature on January 26, 2011 as Exhibit 4. A Negative Declaration of No Environmental Significance was attached to Resolution Number 40 of 2011, with a copy of the Environmental Assessment Form and attached documentation. The Negative Declaration issued pursuant to the New York State Environmental Quality Review Act found no substantial impacts upon the environment or surrounding community and neighborhood. Resolution No. 197 of 2017 adopted by the Herkimer County Legislature on August 9, 2017 was

introduced as Exhibit 5. County Attorney Malone summarized the findings of the County's review to the public in attendance at the hearing.

The public was given an opportunity to speak and the comments made and exhibits introduced were considered by the Legislature of the County of Herkimer in making the Determinations and Findings herein.

Due notice has been provided to the public and the property owners of record. On September 22, 2017, a notice of proposed condemnation was mailed to RAG Herkimer LLC., the owners of the property via certified mail, return receipt requested. [See Letter to RAG Herkimer LLC. attached as Exhibit A]. On September 25, 2017, to September 29, 2017, the County of Herkimer caused a public notice to be published in the County newspaper of record, the Herkimer Evening Telegram. [See Affidavit of Publication sworn to by Patricia Zehr on September 29, 2017 attached as Exhibit B].

The Herkimer County Legislature has considered the proposed taking, the statement of County Attorney Robert J. Malone, together with exhibits introduced at the Public Hearing, the comments made by the speakers at the public hearing, the public record to date concerning construction of a new Herkimer County Correctional Facility, decisions of the Herkimer County Supreme Court and the Appellate Division, Fourth Department concerning the proposed new Herkimer County Correctional Facility, and other factors deemed pertinent by the Herkimer County Legislature concerning acquisition of the subject property.

The Herkimer County Legislature accepts and adopts the statement of the Herkimer County Attorney at the public hearing that the site proposed for acquisition will be acquired for a public use as the site for construction of a new Herkimer County Correctional Facility and that construction of the proposed facility will not have a negative impact upon the environment or community character. Further, based upon the public record, decisions of the courts to date and upon other factors deemed pertinent, the Herkimer County Legislature makes the following determination and findings concerning the construction of the new Herkimer County Correctional Facility pursuant to New York State Eminent Domain Law Section 204 (B) (1) to (4):

As to the public use, benefit, and purpose to be served, we find that:

- 1) Pursuant to County Law Section 217, each county is required to maintain a county jail to provide for the proper care of inmates and the safety, health and welfare of the general public.
- 2) The County has maintained a Correctional Facility in the Village of Herkimer since at least 1834.
- 3) The 1834 Jail housed inmates in downtown Herkimer until the 1970's when the County built a new facility located at 126 Court Street in a residential area of the Village of Herkimer.
- 4) By early 2000, Herkimer County faced overcrowding problems at the existing Jail located at 126 Court Street in the Village of Herkimer.
- 5) The Commission of Correction as the entity charged with oversight of all correctional facilities in the State of New York has engaged in communications with Herkimer County and in stricter regulation of overcrowding at the existing jail.
- 6) By Resolution Number 36 of 2000, the Herkimer County Legislature found that "serious overcrowding at the Herkimer County Correctional Facility...has required the County to seek waivers from the State of New York to house more inmates than the number for which the Herkimer County Correctional Facility was designed." [See Resolution No. 36 of 2000 attached as Exhibit C].
- 7) The Herkimer County Legislature also noted that overcrowding has necessitated that the County "...pay high fees for the boarding of inmates in other correctional facilities." [See Resolution Number 36 of 2000 attached as Exhibit C].
- 8) Resolution Number 36 of 2000 further established an advisory committee to evaluate the County's needs, including whether a new Herkimer County Correctional Facility [hereinafter "jail"] was needed.
- 9) By Resolution Number 313 of 2000, Herkimer County engaged a consulting firm, MRB Group, which later became Labella Associates [hereinafter "Labella"] that specializes in the construction of correctional facilities. [See Resolution Number 313 of 2000 attached as Exhibit D].

- 10) The County of Herkimer has also retained various contractors and engineering firms to provide architectural and/or engineering services in connection with necessary repairs and maintenance of the current Herkimer County Correctional Facility. [see Resolution No. 146 of 2006 retaining Clough Harbour and Associates, LLP attached as Exhibit E].
- 11) By letter dated September 8, 2006, the Herkimer County Administrator James W. Wallace, Jr. advised the Herkimer County Legislature that Labella Associates, P.C. had submitted written proposals for the development of construction documents for short term jail solution at the current correctional facility as approved by the New York State Commission of Correction to provide temporary improvements to the current correctional facility including a temporary recreation yard, dismantling of an existing roof recreation yard, reroofing of the existing jail and new rooftop ventilation. [See Resolution No. 272 of 2006 attached as Exhibit F].
- 12) By Resolution Number 272 of 2006, the Herkimer County Legislature authorized the execution of an agreement with Labella Associations, PC to complete short term solutions in the repair and maintenance of the existing jail. [See Exhibit F].
- 13) In May of 2006, the Commission of Correction reviewed the County's existing jail and determined that, due to non-compliance with Commission building requirements, that the current correctional facility be shut down as housing for general inmate population and to be used as "special housing" for no more than four inmates. [See letter from Alan J. Croce, Chairman of the Commission of Correction to Herkimer County Sheriff Christopher P. Farber dated May 16, 2006 attached as Exhibit G].
- 14) The County continued to review alternative sites and strategies to secure appropriate inmate housing as set forth in further detail below.
- 15) In September of 2008, the Commission of Correction reviewed the suitability of the site shown on survey map presented at the Public Hearing [also known as the "P & C" site] located on State Route 28 as a potential site for construction of a new Herkimer County Correction Facility and advised the County that the Commission staff had made a "favorable recommendation for building site approval of the

property, endorsed by the senior staff of the Commission.” [See Letter from James E. Lawrence to Herkimer County Sheriff dated September 20, 2008 attached as Exhibit H].

- 16) By Resolution No. 53 of 2009, the Herkimer County Legislature authorized a contract for architectural and related services with Labella Associations, P.C. of Rochester, New York for the purpose of assisting the County in determining what investigations of the “P & C” site should occur prior to acquisition and to begin a SEQRA review of the property. [See Resolution No. 53 of 2009 attached as Exhibit I].
- 17) Further, by Resolution No. 27 of 2010, the Legislature authorized the funding of a study to analyze Village of Herkimer sewer capacity to service the proposed “P & C” site. [See Resolution No. 27 of 2010 attached as Exhibit J].
- 18) Thereafter, the County moved forward to conduct an environmental review pursuant to SEQRA of the proposed “P & C” site and to develop specifications for a correctional facility.
- 19) By Resolution No. 250 of 2011 adopted on October 5, 2011, the County of Herkimer authorized legal proceedings against the Village of Herkimer concerning the denial by the Village of access to the Village’s sewer system. [See Resolution No. 250 of 2011 attached as Exhibit K].
- 20) On December 14, 2011, the Herkimer County Legislature authorized the Herkimer County Purchasing Agent to advertise for bids for the provision of a cell package for a new Herkimer County Correctional Facility. [See Resolution No. 315 of 2011 attached as Exhibit L].
- 21) On January 18, 2012, the Herkimer County Legislature adopted Resolution No. 29 of 2012, wherein the County noted that the Village of Herkimer had taken measures to change the zoning of the “P & C site” to prohibit the construction of a correctional facility at that site, and the Legislature authorized litigation against the Village to obtain an order preventing the Village from amending its zoning ordinance. [See Resolution No. 29 of 2011 attached as Exhibit M].
- 22) Following protracted litigation concerning the immunity of the County of Herkimer from the Village of Herkimer zoning prohibition of construction of a new County

Correctional Facility at the “P & C” site, on February 3, 2017, the Appellate Division, Fourth Department affirmed the Decision of the Hon. Erin P. Gall that the County of Herkimer is immune from the zoning restrictions of the Village of Herkimer. See Matter of County of Herkimer v. Village of Herkimer, 147 A.D.3d 1349 (4th Dept. 2017) affirming Matter of County of Herkimer v. Village of Herkimer, 51 Misc. 3d 516 (January 27, 2016).

- 23) In her decision dated January 27, 2016 above, following a full trial on the record, the Hon. Erin P. Gall outlined the history of the Herkimer County Correctional Facility, reviewed alternative sites and strategies examined by Herkimer County to accommodate inmate housing and made numerous findings pertinent to the eminent domain proceeding herein and to the Determination and Findings of the Herkimer County Legislature.
- 24) The County of Herkimer adopts in full the judicial findings made by the Hon. Erin P. Gall, as affirmed by the Appellate Division, concerning the “public purpose” of the proposed new Herkimer County Correctional Facility.
- 25) Judge Gall ruled that the proposed Correctional Facility “...serves a quintessential governmental function that is mandated by state law and serves to provide for public safety, both as to inmates and the public at large.” (See County Law Section 217). *Id.* at 532.
- 26) Judge Gall continued on to note that “...the proposed facility will bring the County into compliance with the state mandate and will also provide for the public safety of all County residents, including those who reside in the Village.” *Id.* at 533.
- 27) Judge Gall described the public purpose at length in her decision:

...a county jail serves an essential public purpose. A correctional facility that meets New York State’s requirements for the proper housing of inmates, like the proposed facility at the P & C site, will ensure that the inmates are satisfactorily housed, and that public safety is maintained because of the soundness of the facility, the manageable distance to transport inmates between court facilities, lockup, and the correctional facility, and the procedures in place to oversee inmates. The proposed facility will also serve other public interests, including reducing safety risks to correctional personnel, complying with a state mandate and state law, and replacing a deteriorating correctional facility that does not meet basic Commission building standards. Further, having a new jail in Herkimer County

will serve all taxpayers in the County because funds have been saved to construct the jail, and the bond for the facility is projected to be paid for in nine years. Mr. Wallace testified that once the proposed facility is built, the taxpayers of Herkimer County will potentially save close to \$2 million per year after operational costs.

Id at 533.

31) For all of the reasons stated above, the County of Herkimer hereby finds and determines that proposed construction of a new Herkimer County Correctional Facility on the "P & C" site to be acquired by eminent domain serves a valid public purpose.

As to the location of the proposed public project and reasons for selection of that location, we find:

1. On November 28, 2001, the Herkimer County Legislature authorized the completion of background work, title searches and appraisals for parcels of land necessary for investigation of potential sites for location of a new Herkimer County Correctional Facility. [See Resolution No. 311 of 2001 attached as Exhibit N].
2. Since 2001, the County has evaluated some 40 to 50 different sites in varying detail to comply with the County Law Sec. 217 and Commission of Correction mandates.
3. The location and description of the property proposed to be acquired by eminent domain was provided for the record at the Public Hearing held on October 11, 2017.
4. The property is shown on the map prepared by Blanchard Land Surveying, J. Scott Blanchard, Licensed Surveyor, dated January 19, 2012 entitled "Map Showing Lands to be Conveyed to the County of Herkimer" that was introduced into the record at the Public Hearing held on October 11, 2017 as Exhibit 1. Additionally, an aerial orthophoto map of the property was introduced at the public hearing as Exhibit 2. A description of the property to be acquired completed by Blanchard Land Surveying entitled "Description of Lands to be conveyed to the County of Herkimer" was introduced at the Public Hearing as Exhibit 3.
5. The property, as shown on the survey map and orthophoto map at Exhibit 1 and Exhibit 2 of the Public Hearing record consists of 26.90 acres with a northern portion that is wooded and sloping upward to the northern boundary. The southern portion

of the parcel fronts on State Route 28 and was the location for a shopping center and public parking area.

6. In addition to construction of a new Correctional Facility, the County has considered alternative strategies including expansion of the current facility, construction of a smaller facility, boarding out all inmates in other counties on a permanent basis, or construction of a new joint facility with Oneida County.
7. As Justice Gall highlighted in her Decision of January 27, 2016, "In its post trial submission, the Village conceded the unavailability of alternative methods of providing the needed improvement. The Commission has ordered the County to build a new jail." Id. at 537.
8. Justice Gall also noted the thorough siting process undertaken by the County in its site selection process, "After hearing six days of testimony regarding the siting of the new HCJ, what was most impressive to the court was the exhaustive process undertaken by the County in searching for a suitable site..." Id.
9. In her decision of January 27, 2016, Justice Gall summarized the extensive siting process described during the six day trial concerning County immunity from Village of Herkimer zoning and constraints in the siting process due to availability of public sewer and water services for a new Correctional Facility:

Testimony at trial established that the biggest obstacle in siting the proposed facility has been securing access to municipal sewer and water services, and in particular, water....The creation of a new water and sewer district would need to be approved by the host municipality and is highly discretionary. The host village or Village of Herkimer would need to agree to extend its services to the site...The County could not legally force an unwilling host town to provide water and sewer services to the proposed facility. Prior to trial, the Village of Herkimer had refused to extend its services to any adjacent municipality...Mr. Wallace testified that this difficulty resulted in the County concluding that it had no choice but to locate the facility within the Village of Herkimer where it believes that services could not be denied as water and sewer districts already exist.

Id. at 523

10. A review of the top 14 sites considered by the County was also described by Justice Gall in her Decision of January 27, 2016 that included sites known as 1) The Quarry Site in the Town of German Flatts, 2) Shells Bush Road in the Town of Herkimer 3) The Pumpkin Patch in

the Town of Frankfort 4) Altrex/Junkyard in the Town of Herkimer, 5) Burrill in the Town of Herkimer 6) McKennanRoad/Herkimer County Community College in the Town of Herkimer, 7) Putts Hill in the Town of German Flatts, 8) Ilion Duofold in the Village of Ilion, 9) Schuyler Business Park in the Town of Schuyler, 10) Eastern Herkimer County Industries in the Town of Little Falls, 11) Little Falls Farm in the Town of Little Falls, 12) Manheim Business Park in the Town of Manheim, 13) Route 28 in the Village of Herkimer and 14) the "P & C" site in the Village of Herkimer.

11. As shown on the survey map and orthophoto map (Exhibit 1 and Exhibit 2 at the Public Hearing) the proposed site consists of a flat area bordering State Route 28 where a shopping center and parking area were previously located with a northern portion that is a wooded hillside that slopes upward to the northerly boundary.

12. The flat area that was formerly used as a shopping center and parking area will serve as the location for a new correctional facility and parking area with access to State Route 28 and public water and sewer.

13. The sloping wooded hillside will serve as a secure buffer zone for the correctional facility and will be posted to prevent public access thereby preventing any public view and access to the correctional facility from the northern hillside.

14. Based upon the maps and description entered into the record at the Public Hearing of October 11, 2017, the record to date and judicial findings concerning the siting process, the County of Herkimer finds and determines and finds that the public has been apprised of the location of the proposed site for construction of a new Herkimer County Correctional Facility and that the selection of the "P & C" site was based upon a thorough and exhaustive review of alternative strategies and sites.

15. The County of Herkimer further finds and determines that the entire area shown on the maps introduced at the Public Hearing as Exhibit 1 and Exhibit 2 is needed for the construction of the facility and parking area as well as to provide for the safety and security of the general public and inmates, to allow for adequate buffering from neighboring properties, and provide sufficient space and flexibility for future expansion.

As to the general effect of the proposed project on the environment and residents of the locality, we find:

1. The existing jail is currently in the Village of Herkimer in a residential area, located at 126 Court Street.
2. Since at least 1834, there has been a jail located within the Village of Herkimer, thereby rendering it a long time component of Village character.
3. By Resolution Number 40 of 2011, the Herkimer County Legislature determined that the construction of the proposed facility at the P & C site will not result in any significant adverse environmental impacts. [See Resolution No. 40 of 2011 attached as Exhibit O].
4. Herkimer County was established by the NYS DEC as the appropriate Lead Agency on April 14, 2010. [See Environmental Assessment Form attached to Public Hearing Exhibit 4].
5. The proposed project was evaluated by Herkimer County using the criteria for determining significance pursuant to criteria set forth in 6 NYCRR Sec. 617.17(c) (1) and in accordance with 6 NYCRR Sec. 617.7 (c) (2) and (3).
6. The Herkimer County Legislature classified the proposed project as a Type I Action pursuant to SEQRA. [See Exhibit O].
7. A full Environmental Assessment Form was completed by Labella Associates, P.C. for a correctional facility with capacity of approximately 130 cells, with possible later additional cells, together with parking, and administrative offices. [see Full Environmental Assessment Form with Attachment and Reasons Supporting Determination (hereinafter "EAF") [attached to Public Hearing Exhibit 4].

8. As stated in the EAF, the predominant land uses surrounding the proposed site are “commercial, vacant land, single family residential across State Route 28 and open space/forest area.” [See EAF at Page 9]
9. The EAF’s analysis of project impacts and magnitude found no significant impacts on local water bodies, groundwater quality, drainage/surface water runoff, air quality, agricultural lands, aesthetic resources, historical and archeological resources, open space and recreation, critical environmental areas, transportation, energy, noise and odor levels, public health or impact on growth and character of the community or neighborhood. [See EAF at Pages 11 to 21].
10. A project narrative provided a more detailed analysis of impacts upon the environment and local neighborhood. [See Attachment to EAF].
11. The narrative noted that present patterns of traffic flow would not be altered, other than the flow of traffic directly to the new facility. [See EAF Attachment at Page 5, Number 15].
12. With the proposed site fronting on State Route 28, the EAF Attachment stated that Route 28 is capable of accommodating an Annual Average Daily Traffic volume of approximately 5,000 vehicles over a 24 hour period. The EAF noted that the proposed correctional facility would generate approximately 72 trips during the morning and evening peak hours at full build-out. [See EAF Attachment at Page 5, Number 15].
13. As noted in the EAF, the P & C Site was formerly a grocery and shopping plaza that had generated significant traffic volumes. [See EAF Attachment at Page 5, Number 15].
14. Noise and odor impacts were described as small in the EAF Attachment with the “facility largely indoors with some provision for outside exercise by inmates.” [See EAF at Page 6, Number 17].
15. The Herkimer County Legislature also took a hard look at the impact of the proposed facility on the growth and character of the community and neighborhood. [See EAF attachment at Page 6, Number 19].
16. The EAF described the proposed facility as “...similar in character to existing development within the Village, including the existing County complex” and that

the proposed facility will have an “office-like” or “government-institution” appearance that will not impact community growth.

17. With completion of the SEQRA review process, the Herkimer County Legislature took the required hard look at the environmental impacts and made a reasoned elaboration of no significant environmental impact.
18. On January 26, 2011, the County Legislature issued a Negative Declaration Notice of Determination of Non-Significance pursuant to Part 617 implementing regulations pertaining to the State Environmental Quality Review Act.
19. By Resolution Number 197 of 2017, adopted on August 9, 2017, the Herkimer County Legislature has found that there have been no significant changes to the proposed project, the site or applicable environmental regulations that would warrant reconsideration of the Negative Declaration adopted by the Legislature on January 26, 2011. [See Resolution Number 197 of 2017 attached as Exhibit P].
20. In her decision of January 27, 2016, Judge Gall also made findings concerning the impact of the proposed correctional facility on the community:

The existing jail is in the Village of Herkimer and has been in the Village for over 100 years. Further, vacant commercial property is not contributing to the character of the Village of the commercial, residential and industrial vibrancy of the Village. The P & C site has been vacant for over 10 years despite attempts to develop it commercially. The exhaustive 15-year jail siting process reflects that there are not a large number of available viable sites, and though Herkimer County is a rural area, access to water and sewer services makes siting in rural locations extremely difficult.

Id. at 535.

21. Based upon the record at the Public Hearing, the SEQRA review that was undertaken by the County, and judicial decisions and findings made to date, the County of Herkimer and finds and determines that the general effect of the proposed project on the environment and residents of the locality is not significant.

For all of the reasons stated in this document, the testimony at the Public Hearing of October 11, 2017, the decisions of the Courts to date, the public record and other factors deemed pertinent, the County of Herkimer hereby

finds and determines that it is in the best interest of the County of Herkimer and the residents of the County of Herkimer that the County acquire for purposes of construction of a new Herkimer County Correctional Facility, the property shown on the survey map of Blanchard Land Surveying, J. Scott Blanchard, Licensed Surveyor, dated January 19, 2012 entitled "Map Showing Lands to be Conveyed to the County of Herkimer, "Exhibit 1" at the Public Hearing and further described in the description of the property to be acquired completed by Blanchard Land Surveying entitled "Description of Lands to be conveyed to the County of Herkimer," "Exhibit 3" at the Public Hearing.

Dated: _____, 2017

Bernard Peplinski, Sr., Chairman
Herkimer County Legislature



ROBERT J. MALONE
County Attorney

Office of
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109 Mary Street, Suite 1320
Herkimer, New York 13350-2916
Office (315) 867-1123
Fax (315) 867-1492

Assistant County Attorneys
Lorraine H. Lewandrowski
Charles E. Crandall, III
Jessica M. Manieri

September 22, 2017

RAG Herkimer LLC
Gibraltar Management Company
150 White Plains Road
Tarrytown, NY 10591

VIA Certified Mail

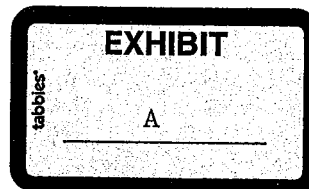
Re: Notice of Public Hearing Pursuant to Eminent Domain Procedure Law Section 202
113.65-2-5 and 113.65-2-6 Village of Herkimer/113.3-1-11 Town of Herkimer

Dear Sirs:

This letter is to advise you that the above parcels of real property owned by you will be the subject of a public hearing being held pursuant to New York State Eminent Domain Procedure Law. On September 22, 2017, the Herkimer County Legislature adopted Resolution No. 226 of 2017. A copy of Resolution Number 226 of 2017 is enclosed for your review. The Public Hearing will be held on October 11, 2017 at 7:00 p.m., in the Legislature Chambers of the County Office Building, Third Floor, Suite 1310, Herkimer, New York 13350.

At the Public Hearing, the Herkimer County Legislature will outline the purpose and proposed location of the new Herkimer County Correctional Facility on the above parcels owned by you. Herkimer County will present information it considers to be pertinent including maps and property descriptions of the real property to be acquired. Any persons who attend the public hearing will be given reasonable opportunity to present an oral or written statement and to submit any other documents concerning the public use to be served by the proposed construction of the new Herkimer County Correctional Facility on tax map parcels 113.65-2-5 and 113.65-2-6 in the Village of Herkimer and 113.3-1-11 in the Town of Herkimer and impacts on residents which may result from condemnation of the above parcels.

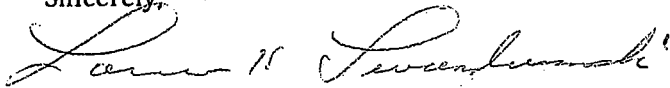
Be further advised that if you, as the property owner of the above parcels, subsequently wish to challenge any condemnation of your property through a judicial review, you may do so only on the basis of issues, facts and objections raised at the Public Hearing. A record of the hearing will be kept by the County including written statements submitted by you and members of the public. Copies of the record will be available to you and the public pursuant to Eminent Domain Procedure Law Section 203.



Page 2

Should you or your attorney have any questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lorraine H. Lewandrowski".

LORRAINE H. LEWANDROWSKI, Assistant County Attorney
Herkimer County

LHL:sd

Encls.

cc: Michael J. Longstreet, Esq. (VIA Certified Mail)
Longstreet & Berry LLP.
415 Elm Street
PO Box 249
Fayetteville, NY 13066

STATE OF NEW YORK)
)ss
County of Oneida)

**NOTICE OF HEARING
PURSUANT TO NYS EMI-
NENT DOMAIN
PROCEDURE LAW**

**NOTICE IS HEREBY
GIVEN** that the County
Legislature of the County
of Herkimer, New York, will
meet at the Legislators'
Chambers, Herkimer
County Office Building, 109
Mary Street, Herkimer, NY
(Third Floor) at 7:00 p.m. on
the 11th day of October,
2017 for the purpose of
holding a public hearing on
the acquisition of parcels
located in the Village of
Herkimer and the Town of
Herkimer having Tax Map
parcel numbers 113.65-2-5
and 113.65-2-6 in the
Village of Herkimer and
parcel number 113.3-1-11
in the Town of Herkimer
pursuant to NYS Eminent
Domain Procedure Law for
the purpose of construct-
ing a new Herkimer County
Correctional Facility.

Patricia Zehr _____ of the City of Utica, in said

county, being duly sworn, says she is the Principal Clerk of the Utica Observer-
Dispatch the Publishers of The Times-Telegram, a daily newspaper printed and
published in the city of Utica, County and State aforesaid, and that an advertisement
of which the attached is a copy, cut from the columns of said paper has been
regularly published in said paper on each of the following dates:

9/25, 9/26, 9/27, 9/28, 9/29/2017

Patricia Zehr

Sworn to before me this

29th day of September 2017
Theresa B. McShadden

NOTARY PUBLIC ONEIDA CO., N.Y.

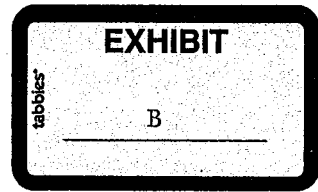
THERESA B MCFADDEN
NOTARY PUBLIC-STATE OF NEW Y
No. 01MC6303520
Qualified in Madison County
My Commission Expires May 12,

The purpose of the hearing
will be to inform the public,
to determine and consider
the need and location of
the proposed acquisition,
to review the public use to
be served and to assess
the impact of the acquisi-
tion on the environment
and residents prior
to acquisition of said
property.

**FURTHER NOTICE IS
HEREBY GIVEN** that
copies of proposed acqui-
sition maps are available
for public inspection
between the hours of 9:00
a.m. and 5:00 p.m. Monday
through Friday at the office
of the Clerk of the Herkimer
County Legisla-ture at
Herkimer County Office
Building, 109 Mary Street,
Suite 1310, Herkimer, NY
(Third Floor). All persons
having an interest in the
acquisition are invited to
attend the hearing or give
oral or written statements
and to submit other
documents concern-
ing the proposed
acquisition.

By Order of the Herkimer
County Legislature.

Dated:
September 22, 2017
Sally I. Deming, Clerk
TT: 09/25, 9/26, 9/27, 9/28,
9/29/2017



RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES AND COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT CREATING A SPECIAL COMMITTEE FOR JAIL CONSTRUCTION

WHEREAS, because of serious overcrowding at the Herkimer County Correctional Facility which has required the County to seek waivers from the State of New York to house more inmates than the number for which the Herkimer County Correctional Facility was designed; and

WHEREAS, overcrowding has also necessitated Herkimer County to pay high fees for the boarding of Herkimer County inmates in other correctional facilities; and

WHEREAS, it appears that the construction of a new Herkimer County Correctional Facility would alleviate both the overcrowding problems and spare the county the expense of having to house inmates in other locations, as well as allow for design of a new correctional facility which would decrease administration and operational costs; and

WHEREAS, by Rule 19 of the Rules of the County Legislature, this Legislature may create a special committee by resolution if any business comes before the Legislature which does not appear to the business of any standing committee; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby establishes a Special Committee for the Construction of a New Herkimer County Correctional Facility, which shall have the power and duty to investigate and report to this Legislature as to all matters in connection with the construction of the proposed new Herkimer County Correctional Facility, which committee shall have four members who shall serve for a term of two years through December 31, 2001, with said members and Chairman to be appointed by the Chairman of this Legislature pursuant to Rule 19; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Sheriff and New York State Department of Corrections.

Dated: January 18, 2000.

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Michael J. Edwards

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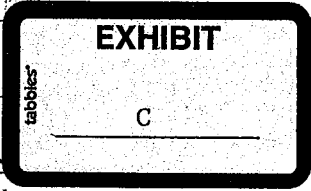
Michael J. Edwards

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Committee on Public Safety
Emergency Management

Committee on County Properties

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEES ON COUNTY PROPERTIES AND FINANCE AUTHORIZING CONTRACT FOR CONSULTANT FOR NEW COUNTY JAIL FACILITY

WHEREAS, your Committees have requested proposals from architects for a consultant to provide planning services for construction of a new Herkimer County Jail facility; and

WHEREAS, by letter dated October 18, 2000, the Herkimer County Budget Officer has advised that three proposals were received and interviews held and your Committees are recommending the firm of MRB Group of Rochester, New York, to perform said consultant services for a lump sum fee of \$16,000.00, including all reimbursable expenses; and

WHEREAS, sufficient funds are available for transfer for this purpose; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a contract with MRB Group, P.C. 2480 Browncroft Blvd., Rochester, NY 14625, to provide planning services for the construction of a new Herkimer County Jail facility, for a lump sum fee of \$16,000.00, including all reimbursable expenses; and, be it further

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

Dated: October 23, 2000.

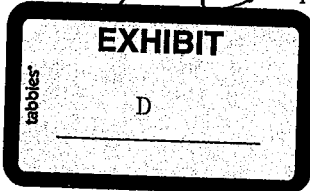
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Michael L. Edel Jr
Anthony Mancini
Patrick ERussell
Committee on Finance

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Michael L. Edel Jr
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Committee on Public Safety and
Emergency Management
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Michael L. Edel Jr
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Committee on County Properties



REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEES ON COUNTY PROPERTIES AND FINANCE AUTHORIZING CONTRACT FOR ARCHITECTURAL/ENGINEERING SERVICES FOR HERKIMER COUNTY CORRECTIONAL FACILITY

WHEREAS, the County of Herkimer has received notice that certain conditions at the Herkimer County Correctional Facility need to be addressed; and

WHEREAS, a proposal has been received to provide architectural and/or engineering services in connection with necessary maintenance and repairs at the Herkimer County Correctional Facility and your Committees are recommending the firm of Clough Harbour and Associates, LLP be engaged to perform said services for the sum of \$17,000.00

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with Clough Harbour and Associates, LLP, 111 Winners Circle, PO Box 5269, Albany, NY 12205 to provide architectural and/or engineering services in connection with necessary maintenance and repairs at the Herkimer County Correctional Facility for the sum of \$17,000.00; and, be it further

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

Dated: May 2, 2006.

Raymond Smith

 RAYMOND SMITH

Vincent J. Bono

 VINCENT J. BONO

Dennis Korce

 DENNIS KORCE

Gary G. Jackson

 GARY G. JACKSON

Robert N. Hyde

 ROBERT N. HYDE

Bruce Weakley

 BRUCE WEAKLEY

Committee on Public Safety & Emergency Management

Robert N. Hyde

 ROBERT N. HYDE

Bruce Weakley

 BRUCE WEAKLEY

Jean E. Maneen

 JEAN E. MANEEN

Vincent J. Bono

 VINCENT J. BONO

Gary G. Jackson

 GARY G. JACKSON

Claudine F. Grande

 CLAUDINE F. GRANDE

Committee on County Properties

Dennis Korce

 DENNIS KORCE

Patrick E. Russell

 PATRICK E. RUSSELL

Raymond Smith

 RAYMOND SMITH

Vincent J. Bono

 VINCENT J. BONO

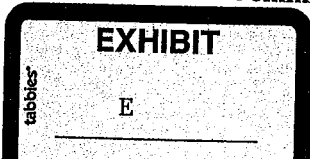
Bernard Z. Peplinski, Sr.

 BERNARD Z. PEPLINSKI, SR.

John L. Brezinski

 JOHN L. BREZINSKI

Committee on Finance



REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEES ON FINANCE AND COUNTY PROPERTIES AUTHORIZING CONTRACT TO DEVELOP CONSTRUCTION DOCUMENTS FOR THE SHORT TERM JAIL SOLUTION PROJECT

WHEREAS, by letter dated September 8, 2006 from James W. Wallace, Jr., County Administrator, your committees have been advised that Labella Associates, P.C. have submitted a written proposal for the development of construction documents for the Short Term Jail Solutions Project as approved by the New York State Commission of Correction, which would include providing a temporary recreation yard, dismantling of the existing roof recreation yard, reroofing of the existing jail, new rooftop venting and cooling system, and other miscellaneous items, for a fee not to exceed \$36,000.00, with an allowance for hazardous material testing, not to exceed \$3,700.00; and

WHEREAS, the completion of the Short Term Jail Solution Project will allow the County of Herkimer to continue to occupy the Herkimer county Correctional Facility in accordance with the requirements of the New York State Commission of Correction; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Labella Associates, P.C. as above described and in accordance with the letter of Labella Associates, P.C. dated September 8, 2006, with the terms and conditions of the contract to be subject to the approval of the County Attorney; and, be it further

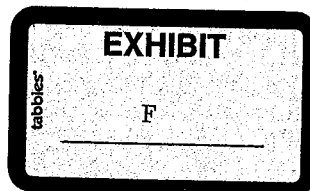
RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney and Labella Associates, P.C.

Dated: September 13, 2006.

Raymond Smith
RAYMOND SMITH
Vincent J. Bono
VINCENT J. BONO
Dennis Korce
DENNIS KORCE
Gary G. Jackson
GARY G. JACKSON
Robert N. Hyde
ROBERT N. HYDE
Bruce Weakley
BRUCE WEAKLEY
Committee on Public Safety and
Emergency Management

Robert N. Hyde
ROBERT N. HYDE
Bruce Weakley
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Jean E. Maneen
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Vincent J. Bono
VINCENT J. BONO
Gary G. Jackson
GARY G. JACKSON
Claudine F. Grande
CLAUDINE F. GRANDE
Committee on County Properties

DENNIS KORCE
-No-
PATRICK E. RUSSELL
Raymond Smith
RAYMOND SMITH
Vincent J. Bono
VINCENT J. BONO
Bernard Z. Peplinski, Sr.
BERNARD Z. PEPLINSKI, SR.
John L. Brezinski
JOHN L. BREZINSKI
Committee on Finance





STATE OF NEW YORK • EXECUTIVE DEPARTMENT
STATE COMMISSION OF CORRECTION

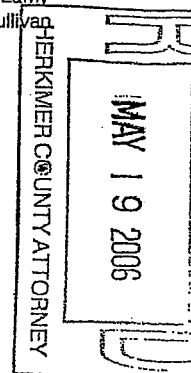
80 WOLF ROAD, 4TH FLOOR
ALBANY, NEW YORK 12205-2670
(518) 485-2346
FAX (518) 485-2467

CHAIRMAN/COMMISSIONER
Alan J. Croce

COMMISSIONERS
Frederick C. Lamy
Frances T. Sullivan

May 16, 2006

Sheriff Christopher Farber
Herkimer County Jail
320 N. Main Street
Herkimer, New York 13350



RE: Maximum Facility Capacity

Dear Sheriff Farber:

In accordance with the provisions of 9NYCRR Part 7040, Maximum Facility Capacity, please find enclosed a copy of the revised 2006 Maximum Facility Capacity (MFC) for the Herkimer County Jail. This action was taken at the Commission's May 16, 2006 meeting.

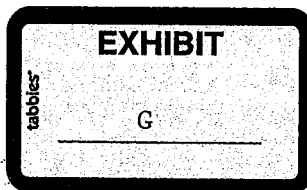
The general confinement capacity is now **four (4)** inmate beds. These beds are designated special housing. As such, confinement of inmates in these housing units shall not exceed five (5) days for any individual.

The enclosed Maximum Facility Capacity document is deemed final. Pursuant to 9NYCRR Section 7040.7(d), you have sixty (60) days after receipt of this determination to appeal for a revision to the maximum facility capacity formulation. Please send an acknowledgment letter of receipt by June 16, 2006. If you have any questions regarding the above information, please do not hesitate to contact me.

Sincerely,

Alan J. Croce
Chairman/Commissioner

cc: Undersheriff Dominick DePaola
Captain Thomas McGrail
Robert J. Malone, County Attorney





STATE OF NEW YORK • EXECUTIVE DEPARTMENT
STATE COMMISSION OF CORRECTION
80 WOLF ROAD, 4TH FLOOR
ALBANY, NY 12205
(518) 485-2346
FAX (518) 485-2467

CHAIRMAN
Thomas A. Beilein
COMMISSIONERS
Frances T. Sullivan
Daniel L. Stewart

September 30, 2008

Christopher Farber, Sheriff
Herkimer County Jail
320 N. Main Street
Herkimer, New York 13350

RE: HERKIMER COUNTY JAIL: PROPOSED JAIL SITE (former P & C Shopping Plaza)

Dear Sheriff Farber:

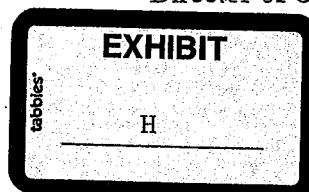
The Commission is in receipt of your letter dated September 19, 2008 requesting Commission review of the suitability of property located on NYS Route 28 in the Village and Town of Herkimer, as a potential building site for a proposed Herkimer County Correctional Facility. On September 23, 2008, Commission staff members William Benjamin and Robert Mason met with you, Undersheriff Treen, County Administrator Jim Wallace, and the Chairman of the Committee on Public Safety Emergency Management, Leonard Hendrix at the proposed site. During that meeting it was noted that the proposed site consists of 3 contiguous parcels (Tax map #'s: 113.65-2-6, 113.65-2-5 in the Village of Herkimer, and parcel 113.3-1-1 in the Town of Herkimer), having a combined acreage of 27.1 acres. The property has approximately 573 feet of road frontage along NYS Route 28 and public utilities are available at this location (water, sewer, electric and gas) per the assessment record information that you provided to the Commission.

Please be advised that Commission staff members William Benjamin and Robert Mason have made a favorable recommendation for building site approval of the property, endorsed by the senior staff of the Commission. Formal review of property is scheduled for the October 22, 2008 Commission meeting.

Sincerely,

James E. Lawrence
Director of Operations

cc: Chairman Thomas A. Beilein
Robert Mason, SCOC
William Benjamin, SCOC



**RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY
MANAGEMENT AUTHORIZING CONTRACT FOR
ARCHITECTURAL/ENGINEERING SERVICES FOR SITE INVESTIGATION AND
EVALUATION, SEQRA PROCESS AND DESIGN IN CONNECTION WITH
CONSTRUCTION OF NEW HERKIMER COUNTY CORRECTIONAL FACILITY**

WHEREAS, in the opinion of this Committee it is necessary to move forward with preliminary investigations of the former P & C site on New York State Route 28 in the Village of Herkimer to determine whether the site is appropriate for the construction of a new correctional facility; and

WHEREAS, in order to proceed it is necessary to retain the services of an architect for the purpose of advising as to what investigation and studies need to be performed prior to the commencement of eminent domain proceedings; now, therefore, be it

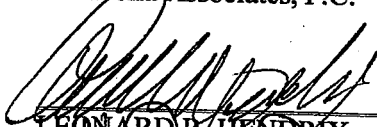
RESOLVED, that this Legislature authorizes a contract for architectural and related services with Labella Associates, P.C., 300 State Street, Suite 201, Rochester, New York 14614 for the purpose of assisting the County in determining what investigation and other processes need to take place prior to the possible commencement of eminent domain proceedings, to perform all necessary work in connection with the SEQRA process, and to perform all necessary design services in connection with that process; and, be it further

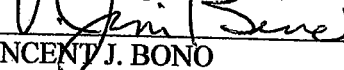
RESOLVED, that this Legislature authorizes the making of surveys, test pits, borings or other investigations and for necessary temporary occupancy of the premises pursuant to Section 404 of the Eminent Domain Proceedings Law; and, be it further

RESOLVED, that such contract shall be subject to the approval of the County Attorney and contingent upon the approval of this Legislature as to the dollar amount of the contract; and, be it further

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

Dated: February 11, 2009.


LEONARD R. HENDRIX


VINCENT J. BONO

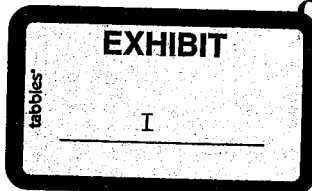
DENNIS KORCE


BRUCE WEAKLEY


JEFFREY M. STONE

JOSEPH CHILELLI

Committee on Public Safety &
Emergency Management



REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON FINANCE APPROVING ADDITIONAL SERVICES BY LABELLA ASSOCIATES, P.C.

WHEREAS, by Resolution No. 88 duly adopted on March 18, 2009, this Legislature authorized a proposal for environmental, SEQRA and site related architectural/engineering services for the proposed new Herkimer County Correctional Facility;


WHEREAS, that proposal and contract did not include a municipal sewer system evaluation; and

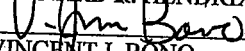
WHEREAS, by letter dated January 20, 2010 from James W. Wallace, Jr., County Administrator, this Legislature is advised that a proposal has been received from LaBella Associates, P.C. for an offsite additional sewer capacity study for the SEQRA process which would be a two phase process, with the first phase consisting of analysis of existing reports and field observations, with necessary accompanying work at a cost of \$13,000, and with the second phase consisting of installation of flow recorders and resulting in an analysis at a cost of \$18,000, with phase two being initiated only if necessary after consultation with Village officials; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with LaBella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614, for a two phase analysis of the Village of Herkimer sewer capacity, with cost of \$13,000 for phase one and \$18,000 for phase two, if necessary, with the contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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


Dated: January 20, 2010.

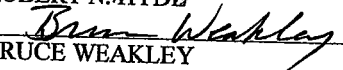

LEONARD R. HENDRIX


VINCENT J. BONO

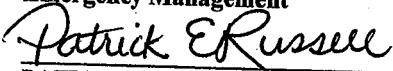

JEFFREY M. STONE


DENNIS KORCE

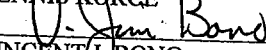

ROBERT N. HYDE

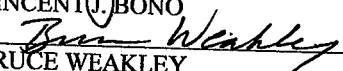

BRUCE WEAKLEY

**Committee on Public Safety and
Emergency Management**


PATRICK E. RUSSELL


DENNIS KORCE

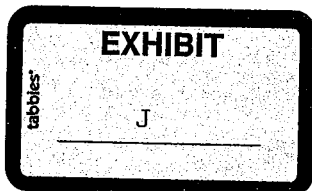

VINCENT J. BONO


BRUCE WEAKLEY

JOHN F. PISECK, JR.


BERNARD PEPLINSKI, SR.

Committee on Finance



RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING LEGAL PROCEEDINGS BY THE COUNTY OF HERKIMER AGAINST THE VILLAGE OF HERKIMER IN CONNECTION WITH THE DENIAL OF THE COUNTY'S APPLICATION FOR A SANITARY SEWER CONNECTION

WHEREAS, by letter dated July 7, 2010, the County of Herkimer made a formal application to the Village of Herkimer for approval of a connection for the new Herkimer County Correctional Facility to the Village sanitary sewer system; and

WHEREAS, that application included information on potential connection points, estimated hydraulic demand and flow rates, and assurance that the County would submit plans, specifications and method of installation for approval by the Village as provided in the Village's Sewer Use Law; and

WHEREAS, the County requested a response within thirty days, but did not receive any response to that letter; and

WHEREAS, by letter dated August 17, 2011, the Chairman of this Legislature repeated the request for a response to the County's application and indicated that if no response were received within twenty days it would be assumed the County's application had been denied; and

WHEREAS, by letter dated August 24, 2011, from Gary M. Hartman, Deputy Mayor of the Village of Herkimer, the County was advised that the Herkimer Village Board, at a meeting on August 22, 2011, voted to formally deny the County's request without specifying any reason for that denial; and

WHEREAS, it appears to this Legislature that that denial was arbitrary and capricious, without a rational basis and for reasons which are unrelated to the proposed sewer connection; and

WHEREAS, representatives of the County of Herkimer have engaged in prolonged and extensive efforts to reach an agreement with the Village of Herkimer, all of which have been fruitless; now, therefore, be it

RESOLVED, that litigation is hereby authorized against the Village of Herkimer to obtain an order setting aside the Village's denial of a sewer hookup to the Village's sewer system and further requiring that the Village allow hookup by the County of Herkimer at the proposed new Herkimer County Correctional Facility site to the Village's sewer system, together with such other and further relief as may be just and proper, with the Chairman of this Legislature being authorized to sign all necessary legal documents to commence and proceed with litigation; and, be it further

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

Dated: October 5, 2011.

Leonard R. Hendrix
LEONARD R. HENDRIX

Vincent J. Bono
VINCENT J. BONO

Jeffrey M. Stone
JEFFREY M. STONE

Dennis Korce
DENNIS KORCE

Robert N. Hyde
ROBERT N. HYDE

Bruce Weakley
BRUCE WEAKLEY
Committee on Public Safety and
Emergency Management

Patrick E. Russell
PATRICK E. RUSSELL

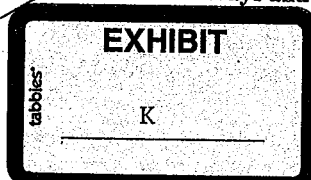
Dennis Korce
DENNIS KORCE

Vincent J. Bono
VINCENT J. BONO

Bruce Weakley
BRUCE WEAKLEY

John T. Piseck, Jr.
JOHN T. PISECK, JR.

Bernard Pepinski, Sr.
BERNARD PEPIŃSKI, SR.
Committee on Ways and Means



REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AUTHORIZING BIDS FOR CELL PACKAGE

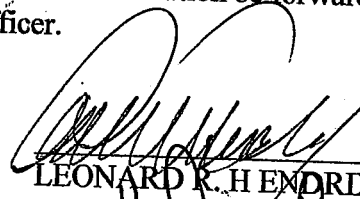
WHEREAS, Herkimer County is in the process of a new correctional facility project; and

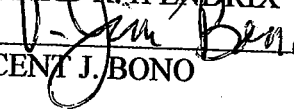
WHEREAS, this Legislature is informed by communication from Bernard E. Decker, Budget Officer and Purchasing Agent, dated December 9, 2011, that specifications are being prepared for the provision of a cell package for said new correctional facility as specified by the project architects, LaBella Associates; now, therefore, be it

RESOLVED, that the Herkimer County Purchasing Agent be, and he hereby is, authorized and directed to advertise for bids for the provision of a cell package for a new Herkimer County Correctional Facility accordance with specifications to be approved by your Committee, said advertisement to be in the official newspapers of the County, and bids to be received and opened in the Office of the Purchasing Agent, with results thereof to be reported to this Legislature for approval and award; and, be it further

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

Dated: December 14, 2011.

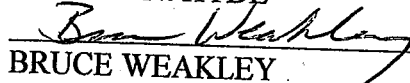

LEONARD R. HENDRIX


VINCENT J. BONO

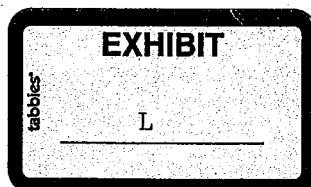
JEFFREY M. STONE

DENNIS KORCE


ROBERT N. HYDE


BRUCE WEAKLEY

**Committee on Public Safety and
Emergency Management**



RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING LEGAL PROCEEDINGS BY THE COUNTY OF HERKIMER AGAINST THE VILLAGE OF HERKIMER IN CONNECTION WITH PROPOSED NEW HERKIMER COUNTY CORRECTIONAL FACILITY SITE

WHEREAS, by Resolution No. 250 adopted by this Legislature on October 5, 2011, the County of Herkimer authorized legal proceedings against the Village of Herkimer in connection with the denial by the Village of access to its sanitary sewer system for the proposed New Herkimer County Correctional Facility at the former P & C site on New York State Route 28 in the Village and the Town of Herkimer; and

WHEREAS, that litigation was commenced by Notice of Petition and Petition dated December 7, 2011; and

WHEREAS, thereafter, it came to the attention of the County of Herkimer, pursuant to notice published in the newspaper, that the Village of Herkimer had scheduled a public hearing on December 19, 2011 regarding amending its zoning ordinance, and said public hearing was held on December 19, 2011 by the Village of Herkimer at which time the Village Board voted to refer the matter to Oneida-Herkimer County Planning for further proceedings; and

WHEREAS, the County of Herkimer has obtained a copy of the proposed local law which would amend the Village's zoning ordinance to prohibit, at this late date, a correctional facility, correctional institution or jail on the proposed site for the New Herkimer County Correctional Facility;

WHEREAS, the County of Herkimer has expended substantial resources in connection with the acquisition and development of the proposed site, all of which have been known to the Village of Herkimer for many months; and

WHEREAS, proposed amendment of the Village's zoning ordinance could cause substantial expense and delay to the County of Herkimer if allowed to be enacted; now, therefore, be it

RESOLVED, that litigation is hereby authorized against the Village of Herkimer to obtain an order to prevent the Village of Herkimer from amending its zoning ordinance in order to attempt to prevent substantial damage to the taxpayers of the County of Herkimer, with the Chairman of this Legislature being authorized to sign all necessary legal documents to commence and proceed with this litigation; and, be it further

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

Dated: January 18, 2012.

Patrick E. Russell
 PATRICK E. RUSSELL

Dennis Korce
 DENNIS KORCE

Raymond Smith
 RAYMOND SMITH

Bruce Weakley
 BRUCE WEAKLEY

Bernard Peplinski, Sr.
 BERNARD PEPLINSKI, SR.

Kurt J. Ackerman
 KURT J. ACKERMAN
 Committee on Ways and Means

Leonard Hendrix
 LEONARD HENDRIX

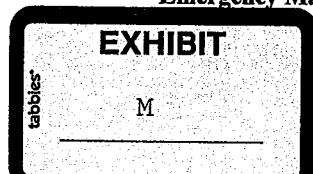
Bruce Weakley
 BRUCE WEAKLEY

Raymond Smith
 RAYMOND SMITH

Robert N. Hyde
 ROBERT N. HYDE

Dennis Korce
 DENNIS KORCE

Bernard Peplinski, Sr.
 BERNARD PEPLINSKI, SR.
 Committee on Public Safety/
 Emergency Management



REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEES ON COUNTY PROPERTIES AND FINANCE CONCERNING INVESTIGATION OF SITES FOR POSSIBLE NEW CORRECTIONAL FACILITY

WHEREAS, this Legislature is in the process of investigating various sites for the location of a possible new Herkimer County Correctional Facility; and

WHEREAS, in connection with such investigation it is necessary to secure abstracts of title and appraisals of value; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the securing of abstracts and appraisals of value for parcels of land necessary for investigation of the construction of a possible new Herkimer County Correctional Facility and hereby authorizes the Properties Committee to secure such abstracts and appraisals of value; and, be it further

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

Dated: November 28, 2001.

Robert E. Hahn
Robert E. Hahn
Robert E. Hahn
Robert E. Hahn

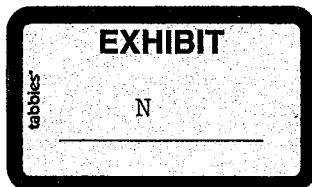
Raymond Smith
Committee on County Properties

Anthony J. Monaco
Dennis Kone

Michael L. Edrfs
Kenneth A. Hug
Edrfs

Raymond Smith
Committee on Public Safety and
Emergency Management
Robert E. Hahn
Dennis Kone
Chaudhri Hahn
Michael L. Edrfs
Anthony J. Monaco

Committee on Finance



RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT TO PROVIDE THAT THE CONSTRUCTION OF A NEW CORRECTIONAL FACILITY ON A SITE IN THE TOWN AND VILLAGE OF HERKIMER ON THE WEST SIDE OF NEW YORK STATE ROUTE 28 BE IN COMPLIANCE WITH THE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

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 the construction of a New Correctional Facility at an approximate 26 acre site in the Town and Village of Herkimer, on the west side of New York State Route 28; and

WHEREAS, your Committee has made a classification of the project as a Type I Action pursuant to SEQRA; and

WHEREAS, the County has been established as the lead agency under SEQR responsible for conducting a coordinated review of the proposed action; and

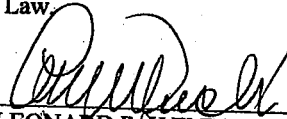
WHEREAS, your Committee has fully considered, assessed and discussed the information contained within the full Environmental Assessment Form; now, therefore, be it


RESOLVED, that based on the information provided and discussed, the Herkimer County Legislature concurs in the classification of the proposed action as a Type I Action under SEQR and 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, including attachments thereto, supporting documentation, and the SEQR Negative Declaration Notice of Determination of Non-Significance which is attached and incorporated within this Resolution as Exhibit "A"; 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: January 26, 2011.


LEONARD R. HENDRIX


VINCENT J. BONO

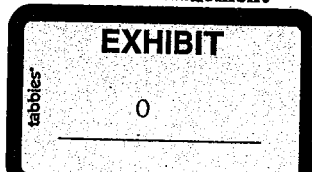

JEFFREY M. STONE

DENNIS KORCE


ROBERT N. HYDE


BRUCE WEAKLEY

Committee on Public Safety and
Emergency Management





HERKIMER COUNTY LEGISLATURE

No. 197

RESOLUTION WITH REGARD TO THE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE CONSTRUCTION OF A NEW HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, the Herkimer County Legislature has approved and authorized bonding for the construction of a new Herkimer County Correctional Facility on a parcel of land located on the New York State Route 28 in the Village of Herkimer at the former P & C site in and for the County of Herkimer, New York, including land acquisition and site improvement pursuant to Resolution No. 41 passed on February 10, 2011; and

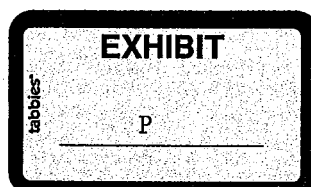
WHEREAS, acquisition of land is necessary to accomplish this project from the property owner, RAG Herkimer, Limited Liability Company, either by purchase or by proceedings under the Eminent Domain Procedure Law (EDPL); and

WHEREAS, the parcels to be acquired are located in the Village of Herkimer and Town of Herkimer, having tax map parcel numbers 113.65-2-5 and 113.65-2-6 in said village and number 113.3-1-11 in said town, consisting in all of approximately 26.9 acres; and

WHEREAS, as required by the statutes of the State of New York, the County of Herkimer, as condemnor, must comply with the provisions of Article 2 of the Eminent Domain Procedure Law; and

WHEREAS, following the preparation of Full Environmental Assessment Form analyzing the potential impacts of the new Correctional Facility at the former P&C Site, the Herkimer County Legislature classified the construction of the new Correctional Facility as a Type I action under the State Environmental Quality Review Act (SEQRA), Article 8 of the New York State Conservation Law and Part 617 of Title 6, Codes Rules and Regulations (6 NYCRR), and, following a Lead Agency dispute with the Village of Herkimer that was resolved by the Commissioner of the Department of Environmental Conservation confirming the authority of the County of Herkimer to serve as the Lead Agency under SEQRA, by Resolution No. 40, dated January 26, 2011, the Herkimer County Legislature determined that the construction of the proposed Correctional Facility at the former P&C Site will not result in any significant adverse environmental impacts and issued a Negative Declaration for the project at that location; and

WHEREAS, there have been no significant changes to the proposed project, the former P&C Site or environmental regulations applicable to the proposed project that would warrant reconsideration of the Negative Declaration adopted in January 2011; and



WHEREAS, by Resolution No. 92 adopted by this legislature on March 16, 2011, an offer to the owner of the premises was authorized in the amount of \$565,000, pursuant to an appraisal of the premises done at that time; and

WHEREAS, an updated appraisal as to the value of said land has been completed by Paul K. Hatzinger Associates which appraised the real property in the amount of \$584,000, less the cost of environmental remediation and pavement and concrete removal; and

WHEREAS, it is in the public interest that an offer be made in an approved amount to the owner of said parcel of property in attempting to negotiate the acquisition of the parcel by purchase; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and hereby is authorized and empowered to offer the sum of \$584,000, less the cost of environmental remediation and pavement and concrete removal for purchase of the premises and to negotiate with the owner on behalf of the County of Herkimer for the purchase of the parcel of land necessary; and, it is further

RESOLVED, that in the event that is found to be impossible to acquire said property by purchase, the County Attorney is authorized and empowered to commence a proceeding under and pursuant to the Eminent Domain Procedure Law to acquire the property set forth and described above.

Dated: August 9, 2017.



HERKIMER COUNTY LEGISLATURE

No. 332

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

Sponsored by: Committee on Ways and Means

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

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

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

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 333

Sponsored by: Committee on Ways and Means

RESOLVED, that the minutes as finally read by the Clerk, and each day read and accepted be, and the same hereby are, approved and that the same be signed by the Chairman and the Clerk of the Herkimer County Legislature and be declared to be a correct and full account of the Proceedings of the Herkimer County Legislature for the year 2017.

Dated: December 13, 2017.



HERKIMER COUNTY LEGISLATURE

No. 334

Sponsored by: Committee on Ways and Means

CHAIRMAN'S AND CLERK'S CERTIFICATE

We, Bernard Peplinski, Sr., Chairman, and Sally I. Deming, Clerk of the Herkimer County Legislature, do hereby certify that the foregoing Proceedings of the County Legislature, typographical errors excepted, are a true and correct transcript of the Proceedings of the Legislature of the County of Herkimer for the Special, Regular and Annual Sessions of 2017, and the same be printed in the volume by authorization of said Herkimer County Legislature.

Dated: December 13, 2017.