

**MINUTES**  
**Herkimer County Legislature**  
**Fourth Quarter – Second Day**  
**Wednesday, October 25, 2017**  
**7:30 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 7:30 p. m.

Chairman Peplinski called on former Legislators Bruce Weakley & Martin Luppino, to lead the Legislature in the Pledge of Allegiance.

Chairman Peplinski called for a moment of silence in recognition of all veterans, past and present.

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

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

Absent: None.

Quorum present.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of October 4, 2017 and the minutes of the Public Hearing on October 11, 2017. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11 Chairman Peplinski opened the floor for public comment. (1) Carl Streeter, 124 S. Third Ave., Ilion, discussed figures he had on boarding out prisoners and building a new jail.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Mr. Bono gave an update on the Tractor Supply project in the 5S South Business Park as well as an update on the Solid Waste budget.

Chairman Peplinski stated that the communications received by the Legislature and the committees to which they were referred were as listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. Legislator Johnson requested Communications No. 356 & 357 to be read. The Clerk read the communication.

No. 346 – A communication was received from the Sheriff submitting monthly report for July, 2017. Referred to the Committee on Public Safety & Emergency Management.

No. 347 – A communication was received from the County Auditor submitting extradition expenses for approval. Referred to the Committee on Public Safety & Emergency Management.

No. 348 – A communication was received from the County Treasurer submitting report of cancelled taxes. Referred to the Committee on Ways & Means.

No. 349 – A communication was received from the Director of Real Property Tax Services submitting NYS Equalization Rates. Referred to the Committee on Ways & Means.

No. 350 – A communication was received from the Director of Real Property Tax Services requesting renewal of assessment contract. Referred to the Committee on Ways & Means.

No. 351 – A communication was received from the Budget Officer/Purchasing Agent submitting request for transfer of funds. Referred to the Committee on Ways & Means.

No. 352 – A communication was received from the Budget officer requesting an amendment to contract in the Mental Health Department. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 353 – A communication was received from the Director of Community Services requesting amendment to Electronic Health Record licensing agreement. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 354 – A communication was received from the NYS Department of Health advising of satisfactory completion of requirements for Public Health Director. Placed on file.

No. 355 – A communication was received from Essex County Board of Supervisors submitting resolution concerning Statewide Ballot Proposal #3. Placed on file.

No. 356 – A communication was received from the County Attorney's Office advising of notice of claim. Placed on file.

No. 357 – A communication was received from the County Attorney's Office advising of notice of claim. Placed on file.

No. 358 – A communication was received from the Capital District Off Track Betting Corporation submitting financial report for June 2017. Placed on file.

No. 359 – A communication was received from the Capital District Off Track Betting Corporation submitting financial report for July 2017. Placed on file.

No. 360 – A communication was received from NYSAC acknowledging receipt of Resolution No. 224. Placed on file.

No. 361 – A communication was received from the Budget Officer/Purchasing Agent requesting approval for phone line in Sewer District. Referred to the Committee on Ways & Means.



No. 362 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation from Sewer District. Referred to the Committee on Ways & Means.

No. 363 – A communication was received from the Sewer District requesting transfer of funds. Referred to the Committee on Ways & Means.

No. 364 – A communication was received from the Personnel Officer requesting contract for Third Party Workers' Compensation Administrative Services. Referred to the Committee on Ways & Means.

No. 365 – A communication was received from the Personnel Officer confirming change in Salary Schedule for Probation Office. Referred to the Committee on Public Safety & Emergency Management and the Committee On Ways & Means.

No. 366 – A communication was received from the Director of Emergency Services requesting acceptance of EMPG Grant. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 367 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment. Referred to the Committee on Ways & Means.

No. 368 – A communication was received from the Commissioner of Social Services requesting a contract for Safe Harbour. Referred to the Committee on Human Resources.

No. 369 – A communication was received from the Director of Office for the Aging requesting an MOU for NY Connects Program. Referred to the Committee on Human Resources and the Committee on Ways & Means.

Chairman Peplinski recognized the Cornell Cooperative Extension Government Intern Program students as well as Herkimer High School students attending the meeting.

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Stephens, seconded by Mr. Bono, Report and Resolution No. 240 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means approving extradition expenses was handed up; was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 241 sponsored by the Committee on Ways & Means approving cancelled and rejected taxes was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Campione, seconded by Mr. Russell, Report and Resolution No. 242 sponsored by the Committee on Ways and Means approving assessment contract with the Town of Danube was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Shaw, Report and Resolution No. 243 sponsored by the Committee on Ways & Means approving NYS Equalization Rates was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Johnson, Report and Resolution No. 244 sponsored by the Committee on Ways & Means authorizing transfer of funds was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Markwardt, Report and Resolution No. 245 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending resolution for Electronic Medical Records System for Mental Health Services was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Stephens, seconded by Mr. Manno, Report and Resolution No. 246 sponsored by the Committee on Information Services and the Committee on Ways & Means authorize amendment to resolution for telephone communications was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Johnson, seconded by Mr. Shaw, Report and Resolution No. 247 sponsored by the Committee on Ways & Means appropriating funds in Sewer District was handed up; voted on and adopted by a roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Malta, Report and Resolution No. 248 sponsored by the Committee on Ways and Means approving contract for Third Party Claims Administration of Former Self Insurance Plan was handed up for discussion. On motion Mr.



Wellington, seconded by Mr. Ackerman, motion was made to table the Resolution. Discussion was held. The motion to table was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Weakley, Report and Resolution No. 249 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing amendment in Salary Schedule No. 3 was handed up; voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None                      Absent: None.

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 250 sponsored by the Committee on Ways and Means establishing annual salaries of some elected officials and setting date for public hearing was handed up; was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Campione, Report and Resolution No. 251 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means accepting grant, amending budget and establishing account for receipt of Homeland Security Funding was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 252 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing submission of plan for Safe Harbour Funding was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 253 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing memorandum of understanding was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Ackerman, Resolution No. 254 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing revised offer to owner in connection with Eminent Domain Proceedings was handed up; discussion was held; voted on and adopted by roll call vote per Chairman Peplinski.

For: Markwardt, Johnson, Stephens, Keeler, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (12).

Against: Malta, Schrader, Wellington, Brezinski, Manno (5).

Absent: None.

On motion of Mr. Russell, seconded by Mr. Ackerman, Resolution No. 255, In Memoriam of Charles "Charlie" Keifer was handed up for discussion: Chairman Peplinski asked the Clerk to read the Resolution. Legislator Russell made comments about Mr. Keifer. The Resolution was adopted by voice vote:

All ayes: 17.

Against: None.

Absent: None.

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators made comments: Legislator Manno.

At 7:57 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, November 15, 2017 at 7:30 p.m.

Sally Deming, Clerk  
Herkimer County Legislature





## HERKIMER COUNTY LEGISLATURE

No. 240

### REPORT AND RESOLUTION AUTHORIZING PAYMENT OF EXTRADITION EXPENSES

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

WHEREAS, this Legislature, on February 28, 1994, pursuant to Section 657-a of the County Law, authorized a fund for payment in advance of audit for expenditures necessarily incurred by the Sheriff in the transportation of prisoners; and

WHEREAS, this Legislature is informed by communication from the County Auditor's office, dated October 4, 2017, that that office is in receipt of invoices and vouchers submitted by the County Sheriff's Office for services in connection with the extradition of a prisoner from Tennessee; and

WHEREAS, Section 657-a requires that said bills be audited by this Legislature; now, therefore, be it

RESOLVED, that said bills having been incurred in the regular course of business and having been examined by your Committees, are approved; and, be it further

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

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 241

### REPORT AND RESOLUTION RELATING TO CANCELED TAXES AND REJECTED TAXES

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

Your Committee on Ways and Means, to which was referred the reports of the County Treasurer, with account attached thereto, showing the amounts of canceled taxes and rejected taxes as of October 4, 2017 which should be charged back to the respective towns, municipalities and districts set forth on said account, does respectfully report that we have examined the same, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the following amounts be charged to the respective towns, municipalities and districts as set forth on said account and that the portion of said canceled taxes and rejected taxes be included in the various towns' tax levies for the coming year as follows:

	<b>Rejected Taxes</b>	<b>Canceled Taxes</b>	<b>Total</b>	<b>Town Portion For Levy</b>
City of Little Falls		16.20	16.20	
Frankfort		627.07	627.07	1.00
Herkimer		3,033.00	3,033.00	209.84
Litchfield		48.66	48.66	19.72
Winfield		<u>114.27</u>	<u>114.27</u>	<u>44.91</u>
Totals		3,839.20	3,839.20	275.47

and, be it further

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

Dated: October 25, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 242

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

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

WHEREAS, by letter dated September 19, 2017, Beth Sadlon, Director of the Real Property Tax Service Agency, has recommended to your Committee that a contract be renewed between the County of Herkimer and the Town of Danube whereby the County would provide assessment services to the Town for the sum of \$12.00 for each parcel on the final assessment roll for the Town; and

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

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement to provide assessment services to the Town of Danube for the period from December 31, 2017 through December 31, 2018, for the sum of \$12.00 for each parcel on the final assessment roll of the town, with the final form of said agreement to be subject to the approval of the County Attorney; and, be it further

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

Dated: October 25, 2017.



# HERKIMER COUNTY LEGISLATURE

No. 243

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

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

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of Real Property Tax Services, submitting the State Board established Herkimer County Equalization Rates to be used in the apportionment of the 2018 Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law, do respectfully report that we have examined said report and offer the following Resolution:

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

### County Equalization Rates for the 2017 Assessment Rolls for Municipalities in the County of Herkimer

City of Little Falls	20.00
Town of Columbia	91.00
Town of Danube	81.30
Town of Fairfield	78.00
Town of Frankfort	72.00
Town of German Flatts	80.00
Town of Herkimer	94.00
Town of Litchfield	91.00
Town of Little Falls	75.00
Town of Manheim	70.00
Town of Newport	103.50
Town of Norway	72.00
Town of Ohio	100.00
Town of Russia	100.00
Town of Salisbury	100.00
Town of Schuyler	90.00
Town of Stark	59.30
Town of Warren	64.00
Town of Webb	100.00
Town of Winfield	91.00

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Director of Real Property Tax Services and each town and the City of Little Falls.

Dated: October 25, 2017.





# HERKIMER COUNTY LEGISLATURE

No. 244

## 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 October 6, 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:**

\$500            FROM: A1340.44000, Budget & Purchasing, Contracted Services  
                  TO:     A8026.46100, Adirondack Park, Mileage

and, be it further

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

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 245

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 183 OF 2014, AUTHORIZING AGREEMENT FOR ELECTRONIC MEDICAL RECORDS SYSTEM FOR HERKIMER COUNTY MENTAL HEALTH SERVICES**

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

WHEREAS, by Resolution No. 183 duly adopted on July 2, 2014, this Legislature authorized an agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, New York 14051, for the provision of an electronic medical records system at a cost of \$65,100, and ongoing technical support services at a cost of \$10,000 for the remainder of 2014; and

WHEREAS, by Resolution No. 311 of 2014, by Resolution No. 67 of 2015, by Resolution No. 184 of 2015 and by Resolution No. 18 of 2016, said contract was amended for additional users and costs; and

WHEREAS, by letter dated October 4, 2017 from Sheri Ferdula, Budget Officer, and by letter dated October 2, 2017 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request for an additional amendment of said contract to add one additional user, along with training and support for the user on the electronic prescription module and annual maintenance, at a one-time cost of \$2,500; now, therefore, be it

RESOLVED, that the agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, NY 14051, is hereby amended to include an additional amendment of said contract to add one additional user, along with training and support for the user on the electronic prescription module and annual maintenance at a one-time cost of \$2,500; and, be it further

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

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

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 246

### REPORT AND RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION NO. 165 of 2017 FOR TELEPHONE COMMUNICATIONS

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

WHEREAS, by letter dated October 4, 2017 from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request for an amendment to a Resolution approving a contract with Northland Communications for telephone service; and

WHEREAS, the original contract with Northland Communications was signed before the Herkimer County Sewer District had been upgraded to fiber; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an amendment to a contract with Northland Communications for an additional line at the Herkimer County Sewer District at a cost of \$300.00 per month; and, be it further

RESOLVED, that said contract shall be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Herkimer County Sewer District and Northland Communications.

Dated: October 25, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 247

### REPORT AND RESOLUTION APPROPRIATING FUNDS IN THE HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, by letter dated September 27, 2017, this Legislature is advised that by action on September 20, 2017 the Herkimer County Sewer District Board adopted a resolution, approving an appropriation in the amount of \$47,700.00 from the Sewer District Repair Reserve to the Sewer Treatment Plant Capital Project; and

WHEREAS, by letter dated October 4, 2017, Sheri Ferdula, Budget Officer, has advised this Legislature that there are sufficient funds in Account G870, Sewer Repair Reserve, to allow for said appropriation, which will be used to cover a paving project; now, therefore, be it

RESOLVED, that the following appropriation is hereby approved:

\$47,700.00	From: G870, Sewer Repair Reserve
	To: H8130.40000, Sewer Capital, Contractual, Project 79-1

and, be it further

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

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

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 248      **TABLED**

### **REPORT AND RESOLUTION APPROVING CONTRACT FOR THIRD PARTY CLAIMS ADMINISTRATION SERVICES FOR THE FORMER HERKIMER COUNTY SELF-INSURANCE PLAN AND STAND ALONE PLAN**

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

WHEREAS, by Resolution No. 313 of 2008 this Legislature authorized a contract with Benetech, Inc., for third party administration services for the former Herkimer County Self-Insured Workers' Compensation Plan which has been extended and amended to include coverage for the Stand Alone Plan and extended by Resolution No. 213 of 2015 through December 31, 2017; and

WHEREAS, by letter dated September 26, 2017, Steven R. Billings, Personnel Officer, has requested to extend said agreement from January 1, 2018 through December 31, 2019, with the annual cost for the County Stand-Alone coverage to be at a rate of \$24,380.00 for the year 2018 and \$25,111.00 for the year 2019 and the former Herkimer County Self-Insurance Plan cost will be on a per claim basis of \$125.00 per medical only claim and \$406.00 per indemnity claim for both 2018 and 2019; now, therefore, be it

RESOLVED, an agreement with Benetech, Inc., One Dodge Street, PO Box 348, Wynantskill, NY 12198, for third party administrative services to the Former Herkimer County Self-Insurance Plan and for the County's Stand-Alone coverage be approved for the period January 1, 2018 through December 31, 2019, at the above rates, with the terms and conditions of said 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, Personnel Officer and Benetech, Inc.

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 249

### REPORT AND RESOLUTION AUTHORIZING AMENDMENT IN SALARY SCHEDULE NO. 3

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

**WHEREAS**, by letter dated September 26, 2017, Garry Murphy, Director of Probation has requested to delete the title of Senior Stenographer and establish the title of Office Assistant II; and

**WHEREAS**, by letter dated October 5, 2017 from Steven R. Billings, Personnel Officer, your committees have been advised that the appropriate salary for said position should be \$ 28,735.00 base pay and be effective as of October 23, 2017; now, therefore be it

**RESOLVED**, that the position of Senior Stenographer in Salary Schedule III be deleted and the title of Office Assistant II be established in Salary Schedule III at the base annual salary of \$ 28,735.00, effective October 23, 2017; and be it further

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

Dated: October 25, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 250

### REPORT AND RESOLUTION ESTABLISHING ANNUAL SALARIES OF SOME ELECTED OFFICIALS AND CERTAIN COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE AND SETTING DATE FOR PUBLIC HEARING

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

We, the Committee on Ways and Means of the Herkimer County Legislature, are causing to be prepared and will present Introductory Local Law No. 2 for the year 2017 to establish annual salaries of some elected officials and certain county officers appointed for a fixed term during their term of office, and setting the date for the statutory public hearing thereon, and offer the following Resolution:

#### RESOLVED:

1. That a proposed local law establishing salaries of some elected officials and certain county officers will be prepared by this Committee, and that a public hearing will be held on the proposed local law at a meeting of the Herkimer County Legislature, on the 15<sup>th</sup> day of November, 2017, at 7:00 p.m. in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York;
2. That this County Legislature designates the Committee on Ways and Means as the Committee to hold the public hearing on the adoption of said act;
3. That at least five days prior to such public hearing the Clerk of this Legislature shall post a notice of such hearing upon the bulletin board in the Courthouse and cause to be published said notice at least once in the *Times Telegram*;
4. That the Clerk of this Legislature shall place a copy of said act on the desks of the members of this County Legislature at least seven calendar days, exclusive of Sunday, prior to its final adoption;
5. That if said local law be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one in the Office of the Secretary of State and publish said local law as required by law.

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 251

### REPORT AND RESOLUTION ACCEPTING GRANT, AMENDING BUDGET AND ESTABLISHING ACCOUNT FOR RECEIPT OF HOMELAND SECURITY FUNDING FOR COMMUNICATIONS SYSTEM COMPUTER AIDED DISPATCH SYSTEM

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

WHEREAS, by letter dated October 5, 2017, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of a request to accept grant funding and approve e-signature of the FY 2017 Emergency Management Performance Grant \$29,010.00, which will be used to purchase smartphones, generators for the tower sites and firefighting protective garments for field personnel; and

WHEREAS, by letter dated October 5, 2017, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested that Project EM06-03 be established for proper accounting of this funding and that the 2017 Budget to be amended as follows:

A3020A.3389G, Em. Mgt. HSG, State Aid, Project	From: \$67,480
	To: \$96,490
A3020A.25000, Em. Mgt. HSG, Other Equipment	From: \$67,490
	To: \$96,490

now, therefore be it

RESOLVED, that this Legislature hereby accepts receipt of the FY 2017 Emergency Management Performance Grant in the amount of \$29,010 for the purchase of smartphones, generators for the tower sites and firefighting protective garments for field personnel, establishes Project EM06-03, amends the 2017 budget and authorizes the Chairman of the Legislature to e-sign the grant agreement; and, be it further

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

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 252

### **REPORT AND RESOLUTION AUTHORIZING SUBMISSION OF PLAN FOR SAFE HARBOUR FUNDING FROM NYS AND APPROVING RENEWAL OF CONTRACT WITH YWCA IN CONNECTION WITH SAFE HARBOUR GRANT PROGRAMMING IN HERKIMER COUNTY**

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

WHEREAS, by Resolution No. 55 and No. 91 of 2017, this legislature approved the acceptance of a Safe Harbour Grant in the amount of \$50,000 from the New York State Office of Children and Family Services, which funding is intended to strengthen the Runaway and Homeless Youth Program by providing training on the topic of sexual exploitation of youth and human trafficking on a community-wide basis; and

WHEREAS, by letter dated September 25, 2017, Timothy Seymour, Commissioner of Social Services, has advised that the Department of Social Services has been provided an allocation of \$60,000 for the continuation of the Safe Harbour Program for the 2018 year; and

WHEREAS, Commissioner Seymour has requested authorization to submit a plan to NYS, for approval, in order to claim the \$60,000 allocation; Commissioner Seymour is further requesting to renew a contract with the YWCA of the Mohawk Valley, 1000 Cornelia Street, Utica, NY 13502, to continue Safe Harbour programming in Herkimer County by assuming the role of facilitator in the development of a service system that seeks to meet the needs of all trafficked and /or sexually exploited youth in Herkimer County for the period of January 1, 2018 through December 31, 2018; now, therefore be it

RESOLVED, that authorization to submit a plan to NYS, for approval, in order to claim the \$60,000 allocation for the Safe Harbour program is approved and that the Chairman of the Legislature is hereby authorized to execute a contract with the YWCA of the Mohawk Valley, 1000 Cornelia Street, Utica, NY 13502, to continue Safe Harbour programming in Herkimer County for the period of January 1, 2018 through December 31, 2018, subject to approval of the County Attorney's office ; and be it

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

Dated: October 25, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 253

### REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING REGARDING IMPLEMENTATION OF NY CONNECTS PROGRAM

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

WHEREAS, Kathy Fox, Director of the Office for the Aging, has advised by letter dated October 3, 2017 that the NYS Office for the Aging awarded a contract to the Independent Living Center of the Hudson Valley to assist with the implementation of the NY Connects Program in Herkimer County; and

WHEREAS, letter further advises that a memorandum of understanding is necessary between the Herkimer County Office for the Aging, Herkimer County Department of Social Services and the Independent Living Center of the Hudson Valley to implement the NY Connects Program in Herkimer County; and

WHEREAS, the Herkimer County Office for the Aging and the Department of Social Services will work together with the Independent Living Center of the Hudson Valley to include new enhanced aspects of the NY Connects program; now, therefore be it

RESOLVED, that this Legislature hereby authorizes a Memorandum of Understanding between the Herkimer County Department of Social Services, Herkimer County Office for the Aging and the Independent Living Center of the Hudson Valley which will provide for the services in connection with all aspects of the NY Connects program for the residents of Herkimer County; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign said Memorandum of Understanding as an indication of the approval of the same by this Legislature; and, be it further

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

Dated: October 25, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 254

### **RESOLUTION AUTHORIZING REVISED OFFER TO OWNER IN CONNECTION WITH EMINENT DOMAIN PROCEEDINGS REGARDING CONSTRUCTION OF A NEW HERKIMER COUNTY CORRECTIONAL FACILITY**

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

WHEREAS, by Resolution No. 197 duly adopted on August 9, 2017, this Legislature authorized an offer to RAG Herkimer, LLC., the owner of the premises 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 said Village and tax map parcel number 113.3-1-11 in said Town, consisting in all of approximately 26.9 acres; and

WHEREAS, that offer was in the amount of \$584,000.00 which is the appraised value of the real property in accordance with an appraisal completed by Paul K. Hatzinger Associates, less the cost of the environmental remediation and pavement and concrete removal; and

WHEREAS, this Legislature wishes to modify that offer by removing the deduction for the cost of pavement and concrete removal; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and hereby is authorized and empowered to offer the sum of \$584,000.00, less the cost of environmental remediation for purchase of the premises and to negotiate with the owner of behalf of the County of Herkimer for the purchase of the above described parcel.

Dated: October 25, 2017.





# HERKIMER COUNTY LEGISLATURE



No. 255

## IN MEMORIAM

- WHEREAS,** *Charles W. (Charlie) Kiefer departed this life on October 2, 2017; and*
- WHEREAS,** *Charles served his Country with the United States Army by enlisting immediately after his High School Graduation; he was discharged in December of 1946; and*
- WHEREAS,** *Charlie was an outstanding man of integrity who served with distinction as a Herkimer County Legislator, District 15, from 1968-1971, and*
- WHEREAS,** *Charlie served his hometown of Old Forge in many business endeavors; it seems " he hired almost every kid" at Souvenir Village, he worked endlessly to promote Old Forge from the first Winter Carnival, where he and his wife June worked to make this a wonderful annual event; and*
- WHEREAS,** *Charlie was a community minded person, was a member of the Polar Bear Ski Club, the Central Adirondack Association, the Knights of Columbus; the Old Forge Fire Department, the Thendara Golf Club and a 70 year member of Post 893 of the American Legion, and one of the nicest guys in the world; and*
- WHEREAS,** *The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED,** *That the County Legislature does hereby express its deepest regrets at the decease of Charles W. Kiefer and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further*
- RESOLVED,** *That a copy of this Resolution be sent to the family of Charles W. Kiefer and that an additional copy be spread upon the minutes of this meeting.*

Dated: October 25, 2017.

*Robert C. Marano*  
*Bernard P. Reardon*  
*Robert Schrader*  
*John W. Kelly*  
*John P. Stepien*  
*William C. Kasper*  
*Gregory M. Matlack*  
*John J. ...*

*Raymond Smith*  
*Vincent J. Bono*  
*Dwight A. Ackerman*  
*Frederick J. Shaw Jr.*  
*John J. ...*  
*Patrick E. Russo*  
*John L. Brynjarski*  
*William D. ...*