

**MINUTES**  
**Herkimer County Legislature**  
**Fourth Quarter – First Day**  
**Wednesday, October 4, 2017**  
**2:00 p.m.**

The Fourth Quarterly Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 2:02 p. m.

Chairman Peplinski called on Donal Moynihan, Building Maintenance Supervisor, to lead the Legislature in the Pledge of Allegiance.

Chairman Peplinski called for a moment of silence in recognition of all veterans, past and present, as well as the victims of the recent tragedy in Las Vegas.

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

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

Absent: Markwardt (1).

Quorum present.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of September 13, 2017 and the minutes of the Special Session of September 22, 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. No reports were given.

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. 318, 319, 327 to be read.

No. 318 – A communication was received from the County Attorney advising of Notice of Claim. Placed on File.

No. 319 – A communication was received from the County Attorney advising of Notice of Claim. Placed on File.

No. 320 – A communication was received from the Chairman of the Legislature making appointment to Humane Society Board of Directors. Referred to the Committee on Natural Resources.

No. 321 – A communication was received from the Chairman of the Legislature making re-appointments to the Office for the Aging Advisory Board of Directors. Referred to the Committee on Human Resources.

No. 322 – A communication was received from the County Treasurer advising of submitted audit report. Placed on file.

No. 323 – A communication was received from Hamilton County Board of Supervisors submitting recently adopted resolution. Placed on file.

No. 324 – A communication was received from PROACT submitting pharmacy discount card report. Placed on file.

No. 325 – A communication was received from NYS Department of Tax and Finance submitting equalization rates. Referred to the Committee on Ways & Means.

No. 326 – A communication was received from Oneida-Herkimer Solid Waste Authority advising of a budget amendment. Placed on file.

No. 327 – A communication was received from the County Attorney advising of Notice of Claim. Placed on file.

No. 328 – A communication was received from the STOP-DWI Coordinator requesting approval of 2018 Plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 329 – A communication was received from the Director of the Office for the Aging recommending appointments to the Advisory Council. Referred to the Committee on Human Resources.

No. 330 – A communication was received from the Director of the Office for the Aging requesting renewal of contract. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 331 – A communication was received from the County Property Agent submitting offer for property. Referred to the Committee on County Properties.

No. 332 – A communication was received from the County Highway Superintendent submitting defective road notice. Placed on file.

No. 333 – A communication was received from the Sheriff submitting report for acceptance of Livescan Grant from NYS. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 334 – A communication was received from the Budget Officer/Purchasing Agent submitting request for budget amendment in Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 335 – A communication was received from the Commissioners of Board of Elections requesting transfer for computer purchase. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 336 – A communication was received from the Budget Officer/Purchasing Agent submitting transfer request. Referred to the committee on Ways & Means.

No. 337 – A communication was received from the Budget Officer/Purchasing Agent submitting budget amendment and establishment of account for Bookstore Project at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 338 – A communication was received from the Greater Mohawk Valley Land Bank, Inc. submitting recently passed resolution. Referred to the Committee on County Properties.

No. 339 – A communication was received from ANCA submitting 2016 annual report. Placed on file.

No. 340 – A communication was received from the Senior Vice President for Administration and Finance at HCCC submitting resolution adopted by the Board of Trustees for Bookstore/Library Renovation Project. Referred to the Committee on Education and the Committee on County Properties.

No. 341 – A communication was received from the Employment & Training Director submitting request to renew contract for Working Solutions Career Center. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 342 – A communication was received from the Director of Probation requesting amendment to contract for Electronic Monitoring. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 343 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation in Sheriff's Department. Referred to the Committee on Ways & Means.

No. 344 – A communication was received from the Director of Emergency Services requesting Committee approval for maintenance agreement for Emergency Services for equipment. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 227 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means approving 2018 STOP-DWI Plan was handed up; was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 228 sponsored by the Committee on Human Resources confirming reappointments to the Herkimer County Office for Aging Advisory Council was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 229 sponsored by the Committee on Ways and Means and the Committee on Human Resources authorizing renewal of contract with Senior Network Health was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Johnson, seconded by Mr. Schrader, Report and Resolution No. 230 sponsored by the Committee on County Properties approving sale of parcel acquired by In Rem tax foreclosures was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Campione, seconded by Mr. Wellington, Report and Resolution No. 231 sponsored by the Committee on Natural Resources confirming reappointment to the Herkimer County Humane Society Board of Directors was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 232 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant for Livescan Fingerprinting System for Herkimer County Sheriff's Office was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Stephens, seconded by Mr. Bono, Report and Resolution No. 233 sponsored by the Committee on Ways & Means appropriating funds in connection with purchase of computers and Livescan equipment in the Sheriff's Department was handed up; voted on and adopted by roll call vote:

For: Malta, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Against: None                      Absent: Markwardt (1).

On motion of Mr. Brezinski, seconded by Mr. Shaw, Report and Resolution No. 234 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means establishing account and transferring funds in Board of Elections was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Ackerman, seconded by Mr. Manno, Report and Resolution No. 235 sponsored by the Committee on Education, the Committee on County Properties, and the Committee on Ways and Means approving Herkimer County Community College resolution recommending renovation project at bookstore was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 236 sponsored by the Committee on Education and the Committee on Ways & Means establishing a capital project budget account and budget amendment for Herkimer County Community College Bookstore renovations was handed up; discussion held; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Bono, seconded by Mr. Malta, Report and Resolution No. 237 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means authorizing extension of lease agreement for One Stop Center was handed up; was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Bono, seconded by Mr. Campione, Report and Resolution No. 238 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing amendment to contract in connection with Electronic Monitoring Program was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: Markwardt (1).

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 239 sponsored by the Committee on County Properties transferring premises in the Town of Herkimer, Village of Ilion and City of Little Falls to the Greater Mohawk Valley Land Bank, Inc. was handed up; voted on and adopted by roll call vote:

For: Malta, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Against: None

Absent: Markwardt (1).

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

At 2:27 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, October 25, 2017 at 7:30 p.m.

Sally Deming, Clerk  
Herkimer County Legislature



## HERKIMER COUNTY LEGISLATURE

No. 227

### REPORT AND RESOLUTION APPROVING 2018 STOP-DWI PLAN

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

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

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

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

WHEREAS, by letter dated September 20, 2017, Michael L. Edwards, STOP-DWI Coordinator, has submitted the STOP-DWI Plan for the year 2018 for approval by this Legislature; now, therefore, be it

**RESOLVED:**

1. That the Herkimer County Legislature hereby approves the STOP-DWI Plan for 2018;
2. That the funds accrued in the year 2017 and prior thereto be expended for the continuance of the STOP-DWI Program;
3. That the STOP-DWI Coordinator and Advisory Board submit timely reports regarding revenue obtained and expended within limits previously approved, to the appropriate committees of the County Legislature;
4. That the previous resolutions regarding the STOP-DWI Program be continued as resolved;
5. That certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, STOP-DWI Coordinator and the New York State Department of Motor Vehicles.

Dated: October 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 228

### REPORT AND RESOLUTION CONFIRMING REAPPOINTMENTS TO THE HERKIMER COUNTY OFFICE FOR AGING ADVISORY COUNCIL

**Sponsored by: Committee on Human Resources**

WHEREAS, the Chairman of the Herkimer County Legislature, by letter dated October 3, 2017, has made reappointments to the Office for Aging Advisory Council; now, therefore, be it

RESOLVED, that the following reappointments to the Office for the Aging Advisory Council be ratified and confirmed:

**Reappointment for term of 10/2016 – 10/2020**

Kathy VanValkenburg, Nathan Galinsky Apartments, 105 Protection Ave., Herkimer, NY 13350

Carolyn Trimbach, PO Box 860, Old Forge, NY 13420

**Reappointment for term of 10/2017 – 10/2019**

Patricia Sokol, 5820 State Route 167, Little Falls, NY 13365

Richard Asaro, 2026 Hardscrabble Road, Newport, NY 13416

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of the Herkimer County Office for the Aging and each appointee.

Dated: October 4, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 229

### REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH SENIOR NETWORK HEALTH

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

WHEREAS, by letter dated September 13, 2017 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with Senior Network Health, LLC of Utica, New York, for the Office for the Aging to provide contracted services to the clients of Senior Network Health in Herkimer County; and

WHEREAS, the Office for the Aging will provide home delivered meals, congregate meals, nutrition education, nutritional counseling, as well as attend meetings as necessary, with said services to be reimbursed at \$8.25 per meal and \$45.00 per hour for counseling and case conferencing; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Senior Network Health, LLC, 1650 Champlain Ave., Utica, NY 13502, to provide contracted services by the Herkimer County Office for the Aging as above described from November 1, 2017 to October 31, 2018, with the renewal of one additional year on the same 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 the Office for the Aging and Senior Network Health, LLC.

Dated: October 4, 2017.



# HERKIMER COUNTY LEGISLATURE

No. 230

## REPORT AND RESOLUTION APPROVING SALE OF PARCEL ACQUIRED BY IN REM TAX FORECLOSURES

### Sponsored by: Committee on County Properties

WHEREAS, by judgment of the Herkimer County Court filed and entered April 12, 2016 in the In Rem Tax Foreclosure Action for the year 2014, the County of Herkimer acquired title to certain parcels of property; and

WHEREAS, this Legislature has been advised by letter dated September 19, 2017, from Pamela J. Putch, County Property Agent, that an offer has been received for the parcel of property listed below; and

WHEREAS, your Committee has considered the offer, recommends their acceptance and offers the following Resolution:

RESOLVED, that the offer for the following listed parcel of land in the amount listed is accepted and the County Attorney's Office is directed to prepare the usual deed of conveyance for said property to be delivered to the purchaser upon receipt by the County Treasurer of the offered sum, plus recording and transfer fees:

<u>Parcel</u>	<u>Purchaser</u>	<u>Offer</u>
Town of Winfield Tax Map No. 130.2-1-3 793 Babcock Hill Road	Lawrence J. Moore 475 Cook Road Frankfort, NY 13340	\$100.00

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized, upon receipt by the County Treasurer of the aforesaid sum, plus recording fees, to execute said deed transferring said property; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, County Attorney and above listed purchaser.

Dated: October 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 231

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

**Sponsored by: Committee on Natural Resources**

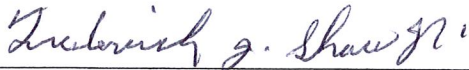
WHEREAS, by Resolution No. 187 of 1995 this Legislature authorized the Chairman of the Legislature to appoint one legislator to serve as representative of the Legislature on the Herkimer County Humane Society Board of Directors, subject to confirmation by this Legislature; and

WHEREAS, by letter dated October 3, 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, 2017; 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: October 4, 2017.




HON. FREDERICK J. SHAW, Chairman

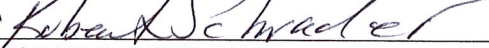
BOB WELLINGTON



PETER F. MANNO



JOHN L. BREZINSKI



ROBERT SCHRADER



PETER J. CAMPIONE

Committee on Natural Resources



## HERKIMER COUNTY LEGISLATURE

No. 232

### REPORT AND RESOLUTION ACCEPTING GRANT FOR LIVESCAN FINGERPRINTING SYSTEM FOR HERKIMER COUNTY SHERIFF'S OFFICE

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

WHEREAS, by letter dated September 14, 2017 from Christopher P. Farber, Sheriff, this Legislature is advised that the New York State Division of Criminal Justice Services has advised of available funding in the amount of \$10,000.00 to be allocated toward the purchase of a LIVESCAN fingerprinting system for the Herkimer County Sheriff's Office and requests authorization for the Chairman of the Legislature to complete the grant by performing electronic signature; and

WHEREAS, by letter dated September 20, 2017, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised an amendment to the 2017 budget and a new revenue account is necessary to track the funds; now, therefore, be it

RESOLVED, that an amendment to the 2017 Budget and a new revenue account be established as follows:

A3150.3389K, Jail, Livescan Fingerprinting	From: \$0
	To: \$10,000
A3150.22000, Jail, Computer Equipment	From: \$0
	To: \$10,000

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature the above described grant in connection with receipt of funding toward a LIVESCAN fingerprinting system for the Herkimer County Sheriff's Office; 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 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 233

### REPORT AND RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH PURCHASE OF COMPUTERS AND LIVESCAN EQUIPMENT IN THE SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated September 15, 2017, Christopher P. Farber, Herkimer County Sheriff has requested a transfer of funds for various purchases; and

WHEREAS, by letter dated September 15, 2017, Sheri A. Ferdula, Budget Officer, has advised that an appropriation of funds for the purchase of computers and replacement of Livescan equipment is advised from the Reserve Account as follows:

\$18,000      From: A889H, Reserve, Correctional Facility  
                  TO:     A3150.22000, Jail Computer Equipment

\$12,000      From: A889H, Reserve, Correctional Facility  
                  To:     A3150.22000, Jail Computer Equipment.

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, Budget Officer and Sheriff.

Dated: October 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 234

### REPORT AND RESOLUTION ESTABLISHING ACCOUNT AND TRANSFERRING FUNDS IN BOARD OF ELECTIONS

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

WHEREAS, by letter dated September 6, 2017 from Kim S. Tranter and Anthony C. Fumarola, Commissioners of Election, your committees are advised of a request to create an Account for Computer Equipment and letter further requests a transfer of funds to purchase upgraded computer equipment to accommodate an upgrade of the NTS Voter software; and

WHEREAS, by letter dated September 15, 2017 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this legislature is advised of a request that a new expense account and transfer of funds be made as follows:

\$5,000.00      From: A1450A.44000-525, BOE Administration, Repairs  
                    TO:     A1450A.22000, BOE Administration, Computer Equipment

and, be it further

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

Dated: October 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 235

### REPORT AND RESOLUTION APPROVING HERKIMER COUNTY COMMUNITY COLLEGE RESOLUTION RECOMMENDING RENOVATION PROJECT AT BOOKSTORE

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

WHEREAS, by request dated August 31, 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 August 30, 2017, the College Board of Trustees approved by Resolution No. 16-25, a Bookstore/Library Renovations project which will create a better experience and environment for the students in the bookstore; and

WHEREAS, by said letter, this Legislature is further advised that the capital budget for the Bookstore/Library Renovations Project is \$300,000, with 50% of the local share coming from the Faculty Association of Herkimer County Community College (Barnes and Noble Capital Investment of \$150,000) and 50% from the state, with no additional funds being requested from the County; now, therefore, be it

RESOLVED, that the Bookstore/Library Renovations Project at Herkimer County Community College is hereby established in the amount of \$300,000, and said Project shall be funded from the Faculty Association of Herkimer County Community College (Barnes and Noble Capital Investment of \$150,000) 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: October 4, 2017.



# HERKIMER COUNTY LEGISLATURE

No. 236

## REPORT AND RESOLUTION REQUESTING ESTABLISHMENT OF A CAPITAL PROJECT BUDGET ACCOUNT AND BUDGET AMENDMENT FOR HERKIMER COUNTY COMMUNITY COLLEGE BOOKSTORE RENOVATIONS

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

WHEREAS, by letter dated September 15, 2017 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the Herkimer County Community College Board of Trustees has requested a Resolution to establish a capital project budget account for the college bookstore renovations, with the cost of the project in the amount of \$300,000, and with 50% of the funding from New York State and 50% of the funding from the Faculty Student Association; and

WHEREAS, by letter dated September 20, 2017, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that an amendment to the 2017 budget and Project 112-1 be established; now, therefore, be it

RESOLVED, that an amendment to the 2017 Budget be established as follows:

**REVENUES:**

H2397, Capital Projects, Other Governments	From: \$0
	To: \$150,000
H3097, General Government Capital Projects	From: \$0
	To: \$150,000

**EXPENSE:**

H2497.40000, CC Capital Project, Contractual Expense	From: \$0
	To: \$300,000.

and, be it further

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

Dated: October 4, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 237

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

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

WHEREAS, pursuant to Resolution No. 101 of 2001, the County of Herkimer entered into a three year lease agreement with Cale Development Company, Inc. of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One Stop Career Center, which lease was renewed by resolution thereafter most recently by Resolution No. 196 of 2016 for a one year period; and

WHEREAS, by letter dated September 19, 2017, Karin Piseck, Employment and Training Director, has requested a new lease agreement be entered into with Castle Enterprises of Herkimer, LTD (formerly Cale Development Co., Inc.) of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One Stop Career Center at an annual rent of \$130,436.82, to be paid in monthly installments of \$10,869.74, with a final payment of \$10, 869.68; and

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

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

- That the lease agreement shall be for a term of one year effective from October 1, 2017 to September 30, 2017;
- That the lease agreement shall reflect an occupied square footage of 9,598;
- That the price shall be \$10.44/square foot for base rent plus an additional \$3.15/square foot to cover taxes, assessments and utilities, for a total of \$13.59/square foot, with total annual rent to be \$130,436.82 to be paid in monthly installments of \$10,869.74, with a final payment of \$10,869.68;
- That tenant does repairs that are under \$150; landlord responsible for all others;

- 60 designated parking spaces
- Landlord to maintain parking lot, including snow and ice removal;
- Landlord shall perform necessary repairs;
- That the lease agreement shall be subject to the approval of the Herkimer County Attorney;

and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Employment and Training Director and Castle Enterprises of Herkimer, LTD.

Dated: October 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 238

### REPORT AND RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT IN CONNECTION WITH ELECTRONIC MONITORING PROGRAM

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

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

WHEREAS, by Resolution No. 309 of 2014, this Legislature approved a contract with BI Incorporated for a one year period, with annual renewals approved upon the same or more favorable terms and conditions; and

WHEREAS, by letter dated September 5, 2017 Gary Murphy, Director of Probation, has advised that, new and improved equipment has been released and old equipment is being phased out; and

WHEREAS, based upon cost and quality of service, it is requested that approval be granted to engage the services of BI, Incorporated for the monitoring of offenders placed on electronic monitoring at a rate of \$5.00 per daily unit; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an amended agreement with BI Incorporated, 6400 Lookout Road, Boulder, CO 80301 for a period of one year for the provision of all electronic monitoring services for the Herkimer County Probation Department, at rates outlined in said agreement, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

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

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

Dated: October 4, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 239

### **RESOLUTION TRANSFERRING PREMISES IN THE TOWN OF HERKIMER, VILLAGE OF ILION AND CITY OF LITTLE FALLS TO THE GREATER MOHAWK VALLEY LAND BANK, INC.**

#### **Sponsored by: Committee on County Properties**

WHEREAS, premises located at 156 Main Road in the Town of Herkimer, 20-22 West Avenue in the Village of Ilion, 32 Furnace Street and 76-78 Furnace Street in the City of Little Falls are included in the County's 2015 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the County of Herkimer held those premises in abeyance and did not take title to them, or withdraw them from the In Rem Proceeding, pending action to be taken by the Greater Mohawk Valley Land Bank, Inc. (Land Bank); and

WHEREAS, the Board of Directors of the Land Bank at meeting held on September 14, 2017, adopted a resolution to proceed with taking title to the above described parcels from the County of Herkimer; and

WHEREAS, unpaid taxes on 156 Main Road in the Town of Herkimer are \$ 7109.05, on 20-22 West Avenue in the Village of Ilion are \$ 9,145.26, on 32 Furnace Street in the City of Little Falls are \$11,240.42 and on 76-78 Furnace Street in the City of Little Falls are \$9,719.28 as of September 27, 2017; now, therefore, be it

RESOLVED, that the County of Herkimer hereby agrees to restore these parcels to its In Rem Tax Proceedings and seek to take title to the premises, and thereafter transfer the premises to the Land Bank, so long as the Land Bank agrees to take title to those parcels and to indemnify the County and hold it harmless from any suit, claim, cause of action or cost of any kind or nature in connection with the premises, including any such issue related to environmental contamination or cleanup of or otherwise related to the premises; and, be it further

RESOLVED, that this Legislature further determines that there is no practical method to enforce the collection of taxes on the premises and that a supplementary proceeding to enforce collection will not be effective because of the dilapidated condition of the parcels; and, be it further

RESOLVED, that upon conveyance of the above described premises to the Land Bank, the delinquent tax liens on the premises shall be cancelled; and, be it further

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

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

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

Dated: October 4, 2017.