

MINUTES
Herkimer County Legislature
Third Quarter – First Day
Wednesday, July 12, 2017
2:00 p.m.

Public Hearing

The Public Hearing on the County-Wide Shared Services Initiative as adopted in the 2017-2018 New York State Budget was called to order at 1:00 p.m. by Bernard Peplinski, Sr., Chairman of the County Legislature. The Clerk read the Notice. Chairman Peplinski opened the floor comment. The following individuals had signed up to speak: (1) Carl Streeter, 124 S. Third Ave., Ilion discussed the 2011 CGR Report on highway consolidation, a copy of which is on the county website. He referenced several points made in the report and suggested the Legislature pursue these recommendations. Joseph Belmont, 125 Button Lane, Frankfort, also submitted information on the CGR Report and suggested the Division of Local Government Services be contacted concerning Local Government Efficiency Program grants. Gene Doremus, 137 Saxon Road, West Winfield spoke on concerns with the State's short time table to be in compliance with the regulations, but encouraged the implementation of the shared services for government efficiency under more reasonable deadlines. County Administrator James Wallace advised that a representative from the Department of State was in attendance at the last Shared Services meeting, and it was requested that the Department assist with obtaining grant funding for this project. There were no other speakers and the hearing was declared closed at 1:20 p.m.

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that public hearings will be held on Wednesday, May 17, 2017 at, Wednesday, June 14, 2017 at 6:15 p.m., and Wednesday, July 12, 2017, at 1:00 p.m. at the Legislature Chambers, County Office Building, 109 Mary Street, Herkimer, New York, regarding the County-Wide Shared Services Initiative as adopted in the 2017-2018 New York State Budget.

Dated: May 5, 2017.

The Public Hearing on Introductory Local Law No. 1 for the year 2017 was called to order at 1:23 p.m. by Patrick Russell, Chairman of the Committee on Ways and Means. The Clerk read the Notice of the Public Hearing. There were no speakers and the hearing was declared closed at 1:24 p.m.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that there has been presented to the County Legislature of the County of Herkimer, State of New York, on the 14th day of June, 2017, Introductory Local Law No. 1 for the year 2017 entitled, "LOCAL LAW OF THE COUNTY OF HERKIMER REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY

ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-g”.

NOTICE IS FURTHER GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the aforesaid proposed Local Law, to be conducted by the Committee on Ways and Means, at the Legislative Chambers in the County Office Building, Herkimer, New York, on the 12th day of July, 2017 at 1:15 p.m. at which time all persons interested will be heard.

Dated: June 29, 2017.

By Order of the Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 2:03 p. m.

Chairman Peplinski called on Bob Vandawalker, Director of Emergency Services, 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, Schrader, Wellington, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (15).

Absent: Markwardt, Johnson (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of June 14, 2017. There were none, and the Chairman ordered them approved.

Chairman Peplinski dispensed with the regular session and called upon Legislator Raymond Smith, Tim Seymour, Commissioner of Social Services and members of his staff who participated in the Volunteer Income Tax Assistance Program. Legislator Smith gave a brief background on the VITA program. Mr. Smith commended these employees who volunteered their time and effort for this tax preparation assistance service which generated a combined state and federal tax refund of \$1,135,146 for the 2016 tax year, and presented certificates for the following employees: Kristin Baker, Cathy Lowell, Kim Collis, Martha Caliguire, Andrea Mancuso, Debbie Smith, Eva Kirchberg and Chris Marsden.

At 2:07 p.m. Legislator Markwardt entered the Legislature session and was marked present on the roll.

Pursuant to Rule 11 Chairman Peplinski opened the floor for public comment. Eugene Horst, 714 Ronald Street, Herkimer, discussed flooding of his property and water runoff from the College.

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. There were no requests.

No. 218 – A communication was received from Capital District Regional OTB submitting financial reports for March and April 2017. Placed on file.

No. 219 – A communication was received from the County Property Agent submitting the final county land auction sale results. Placed on file.

No. 220 – A communication was received from Legislator Raymond Smith submitting notice of disclosure under General Municipal Law Section 803. Placed on file.

No. 221 – A communication was received from the County Treasurer requesting authorization to advance funds to County Road Fund. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 222 – A communication was received from the Budget Officer submitting results of requests for proposals for telephone lines and internet for county offices. Referred to the Committee on Information Services and the Committee on Ways and Means.

No. 223 – A communication was received from the Budget Officer submitting request for transfer of funds in the Board of Elections. Referred to the Committee on Ways and Means.

No. 224 – A communication was received from the Budget Officer submitting request to closeout accounts and transfer funds in the Sewer District Budget. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 225 – A communication was received from the Budget Officer requesting budget amendment in connection with cost of living adjustment for the Rabies Grant. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 226 – A communication was received from the Executive Director of the Herkimer County Chamber of Commerce submitting recommendation for appointment to the Workforce Development Board. Referred to the Committee on County Planning and Development.

No. 227 – A communication was received from the County Highway Superintendent requesting amendment of Highway Project No. 374, Higby Road in the Town of Frankfort. Referred to the Committee on Highways.

No. 228 – A communication was received from the Personnel Officer requesting extension of appointment of Acting Director of Information Services. Referred to the Committee on Ways and Means and the Committee on Information Services.

No. 229 – A communication was received from the County Auditor requesting authorization for payment of additional coroner's transport cost. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 230 – A communication was received from the Senior Vice President for Administration and Finance at HCCC requesting public hearing be set on 2017-2018 Proposed College Operating Budget. Referred to the Committee on Education and the Committee on Ways and Means.

No. 231 – A communication was received from the Herkimer County Sewer District submitting resolution for approval of the Legislature. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 232 – A communication was received from the Director of Community Services submitting the annual report of the Herkimer County Mental Health Services. Referred to the Committee on Human Resources.

No. 233 – A communication was received from the Budget Officer requesting budget amendment in connection with cost of living reimbursement for Immunization Action Plan. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 234 – A communication was received from Assemblyman Marc Butler concerning legislation to provide state funding for mandated district attorney salary increases. Placed on file.

No. 235 – A communication was received from Carole LaLonde advising of her intent to retire as Clerk of the County Legislature effective July 29, 2017. Referred to the Committee on Administration/Veterans' Affairs.

No. 236 – A communication was received from the County Highway Department advising of the receipt of a notice of a potential county road issue. Referred to the Committee on Highways.

No. 237 – A communication was received from Goldberg Group Architects withdrawing from any interest in proposed New County Jail. Referred to the Committee on Public Safety and Emergency Management.

No. 238 – A communication was received from Alfred Barbato submitting his resignation as a member of the Herkimer County Community College Board of Trustees. Referred to the Committee on Education.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Kurt Ackerman, Chairman of the Committee on Education, spoke on the recent meeting of the Education Committee, which set the public hearing on the College Budget for

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 170 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending budget in connection with additional cost of living funding adjustment for Immunization Action Plan was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 171 sponsored by the Committee on Highways amending Resolution No. 123 of 2017 approving projects under Article 6, Section 116 of the Highway law was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Bono, seconded by Mr. Shaw, Report and Resolution No. 172 sponsored by the Committee on County Planning and Development authorizing consolidated funding application for Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Campione, seconded by Mr. Markwardt, Report and Resolution No. 173 sponsored by the Committee on Natural Resources and the Committee on Ways and Means authorizing application for grant funding for flood prevention projects in a three county area was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Ackerman, seconded by Mr. Manno, Report and Resolution No. 174 sponsored by the Committee on Education appointing trustee at Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 175 sponsored by the Committee on Ways and Means approving standard workday and retirement reporting for elected and appointed officials was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 176 sponsored by the Committee on Administration/Veterans' Affairs appointing Clerk of the County Legislature was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

Mrs. Deming expressed her appreciation for the appointment.

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. Legislator Bono made mentioned the sad news of the passing of Bob VanDusen, son of former County Legislator Robert VanDusen, who was a Councilman in the Town of Schuyler and very involved in his community, adding that he will be deeply missed. Legislator Schrader stated that there are talks ongoing to resolve the flooding issues for residents in his district as well as all of Herkimer County.

At 2:35 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, August 9, 2017 at 7:30 p.m. A public hearing on the proposed 2017-2018 Operating of the College will be held at 7:15 p.m.

Carole LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 159

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY MENTAL HEALTH SERVICES

Sponsored by: Committee on Human Resources

Your Committee on Human Resources, to which was referred the 2016 Annual Report of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2016 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2016.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 160

REPORT AND RESOLUTION CONCERNING MEMBERSHIP ON THE WORKFORCE DEVELOPMENT BOARD

Sponsored by: Committee on County Planning and Development

WHEREAS, by letter dated June 23, 2017, the Herkimer County Chamber of Commerce has recommended the appointment of a representatives from the private business sector in Herkimer County to the Workforce Development Board; now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the Workforce Development Board of Herkimer, Madison, and Oneida Counties as a representative from the private business sector of Herkimer County for the term as listed:

Appointment:

Emily Tracy, HR Manager

Riverhawk Company

215 Clinton Road

New Hartford, NY 13413

Term: 8/1/2017 – 7/31/2018

And, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of Employment & Training, Chairman of the Workforce Development Board, Chairman of the Madison County Board of Supervisors, Oneida County Executive and the above listed appointee.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 161

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 June 26, 2017 submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

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

Transfer:

\$3,000 From A1450D.44000, HAVA Voter Ed., Contracted Services
 To: A1450D.22000, HAVA Voter Ed., Computer Equipment

and, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 162

REPORT AND RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 FOR 2017

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

Your Committee on Ways and Means of the Herkimer County Legislature desire to report that on the 12th day of July, 2017, pursuant to Resolution No. 158, they held a public hearing on the adoption of Introductory Local Law No. 1 for 2017 entitled, "LOCAL LAW OF THE COUNTY OF HERKIMER REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-g" and that there were (no) appearances and (no) objections at the said public hearing; that your Committee advises the adoption and enactment of the said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law No. 1 for 2017 be adopted in form attached hereto.

Dated: July 12, 2017.

INTRODUCTORY LOCAL LAW NO. 1 – 2017

LOCAL LAW NO. - 2017

LOCAL LAW OF THE COUNTY OF HERKIMER REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-g

BE IT ENACTED by the County Legislature of the County of Herkimer, as follows:

SECTION 1. A Local Law Imposing A Surcharge On Wireless Communications Service To Be Used For Public Safety Communications Network Costs, Local Law No. 3 of 2002, is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Herkimer on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law §186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the County Legislature of the County of Herkimer and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 163

REPORT AND RESOLUTION AUTHORIZING ADVANCE OF FUNDS TO THE COUNTY ROAD FUND

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

WHEREAS, by letter dated June 22, 2017, Kimberlee Enea, Herkimer County Treasurer, has advised that New York State has changed the procedure by which they process reimbursement for the CHIPS, Pave-NY and Extreme Winter Recovery (EWR) projects back to the County Highway Department, and further requests advance of funds as needed from the General Fund to the County Road Fund, with General Fund reimbursement being made as funds are received from New York State; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized to advance up to \$4,000,000 as needed, from A200, General Fund to D200, County Road Fund; and, be it further

RESOLVED, that any funds advanced shall be repaid to the General Fund before accounts are closed for the fiscal year; and, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 164

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 99, AS AMENDED BY RESOLUTION NO. 128 OF 2017 APPOINTING ACTING DIRECTOR OF INFORMATION SERVICES

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

WHEREAS, by Resolution No. 99 adopted on April 5, 2017 this Legislature appointed Kathy Wright as Acting Director of Information Services through June 1, 2017, which appointment was extended by Resolution No. 128, adopted on May 17, 2017, through August 1, 2017; and

WHEREAS, by letter dated June 22, 2017, Steven R. Billings, Personnel Officer, has requested said appointment be extended through October 1, 2017; now, therefore, be it

RESOLVED, that Resolution No. 99, as amended by Resolution No. 128 of 2017 is hereby further amended in the Third Whereas Clause and the First Resolved to delete "through August 1, 2017" and replace with "through October 1, 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 Kathy Wright.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 165

REPORT AND RESOLUTION AUTHORIZING AGREEMENTS FOR TELEPHONE COMMUNICATIONS

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

WHEREAS, by letter dated June 26, 2017 from Sheri A. Ferdula, Budget Officer, this Legislature is advised that Request for Proposals were solicited for the purpose of telephone communications, which request was divided into three sections: PRI's (Primary Rate Interface- 1 PRI = 24 phone lines), MPLS lines (lines used to connect the County to highway and 911) and Internet; and

WHEREAS, proposals were submitted by Northland Communications and Spectrum Enterprise; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts as follows for the purposes as listed in connection with telephone communications for the County offices:

PRI's - Purchase 2 PRI's from Spectrum @ \$316 each.

MPLS - Keep the three MPLS lines with Northland @ \$300 each

INTERNET - Purchase one line from Spectrum @ \$387 for 50 megabytes

and, be it further

RESOLVED, that said contracts 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, Director of Information Services, Northland Communications and Spectrum Enterprise.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 166

REPORT AND RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL CORONER'S TRANSPORT COST

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

WHEREAS, by Resolution No. 26 of 1966, the Board of Supervisors established fees for services associated with autopsies, use of morgues, reporting and related costs; and

WHEREAS, by Resolution No. 119 of 2013 changes were made to this schedule; and

WHEREAS, by letter dated April 26, 2017 from Jeri A. Frederick, County Auditor, this Legislature is advised of a request to pay mileage expense at the IRS rate to firms occasionally hired by the coroners for transportation to Albany for an autopsy; now, therefore, be it

RESOLVED, that payment of \$136.85 in mileage fees in addition to the standard \$75.00 transport fee to Dimbleby, Friedel, Williams and Edmunds Funeral Home on an invoice dated February 20, 2017 for transport from the Town of Webb to Albany for an autopsy is hereby approved; and, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 167

REPORT AND RESOLUTION APPROVING CLOSEOUT OF SEWER DISTRICT PROJECTS AND TRANSFERS OF FUNDS

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

WHEREAS, by letter dated March 7, 2017, this Legislature is advised that by action on February 15, 2017, the Herkimer County Sewer District Board adopted a resolution to close out the Belt Press Projects and bank accounts and transfer the funds; and

WHEREAS, by letter dated June 15, 2017, Sheri Ferdula, Budget Officer, has advised that that after reviewing the Sewer District capital projects, it will be necessary to close out the remaining projects and bank accounts from prior years and requests transfer of the remaining funds; now, therefore, be it

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

\$11,100.00	From	Project 78-1, H.8197.40000, Belt Press, Contractual
	To:	Project 79-1, H8310.40000 Miscellaneous Sewer Projects, Contractual
\$ 2,345.87	From	Project 78-1, H8197.40000, Belt Press, Contractual
	To:	Project 79-1, H8130.40000, Miscellaneous Sewer Projects, Contractual
\$14,013.99	From:	Project 77-1, G8110.5031, Sewer District, Interfund Transfers
	To:	Project 79-1, H8130.40000, Miscellaneous Sewer Projects, Contractual
\$ 2,599.67	From:	G200X, Cash, Belt Press
	To:	H200RR, Miscellaneous Sewer Project
\$ 657.07	From:	H200XX, Cash, Belt Press
	To:	H200RR, Miscellaneous Sewer Projects

And, be it further

RESOLVED, that this Legislature hereby approves closure of the projects as listed:

- 70 Algae Sweep and Scum Collection
- 72 Sewer Grit Replacement
- 73 Sodium Hypochlorite
- 74 WWTP Reroofing
- 75 Frankfort Pump Station
- 76 Bar Screen
- 77 Raw Sewage
- 78-1 Belt Press
- 78-2 Belt Press

And, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 168

REPORT AND RESOLUTION FIXING THE TIME AND PLACE FOR PUBLIC HEARING ON HERKIMER COUNTY COMMUNITY COLLEGE BUDGET

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

WHEREAS, your Committee on Ways and Means and Committee on Education are advised by letter dated June 29, 2017, from Nicholas F. Laino, Senior Vice President for Administration and Finance, that the Herkimer County Board of Trustees approved the proposed 2017-2018 Operating Budget of the College at its meeting held on June 28, 2017 and requests that the Herkimer County Legislature set a public hearing to consider said budget; now, therefore, be it

RESOLVED, that a public hearing upon said Tentative Budget to be conducted by the Committee on Education shall be held at the Legislators' Chambers in the Village of Herkimer, New York, on the 9th day of August, 2017, at 7:15 p.m. pursuant to the provisions of Section 359 of the County Law and Section 6304(5-a) of the Education Law.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 169

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH ADDITIONAL COST OF LIVING FUNDING ADJUSTMENT FOR RABIES PROGRAM

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

WHEREAS, by letter dated June 26, 2017, from Sheri Ferdula, Budget Officer, this Legislature is advised that the Public Health Nursing Program has received additional COLA funding for the Rabies Grant Program, and requests amendment of the 2017 Budget in connection therewith; now, therefore, be it

RESOLVED, that the 2017 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4010.3401, Public Health, State Aid	From:	\$515,636
		To:	\$516,675
Expense Account:	A4010.86000, Public Health, Health Ins.	From:	\$297,262
		To:	\$298,301

and, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 170

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH ADDITIONAL COST OF LIVING FUNDING ADJUSTMENT FOR IMMUNIZATION ACTION PLAN

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

WHEREAS, by Resolution No. 5 adopted on January 4, 2017, this Legislature approved a contract renewal of the grant agreement for the Immunization Action Plan for the period from April 1, 2017 through March 31, 2018 in the amount of \$32,259.00; and

WHEREAS, by letter dated June 20, 2017, from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2017 Budget in connection with the receipt of a COLA reimbursement for said Plan through the State of New York in the amount of \$2,658; now, therefore, be it

RESOLVED, that the 2017 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4189A.4489B, PH06-14, Immunization	From:	\$32,761.82
	State Aid	To:	\$35,419.82
Expense Account:	A4189A.86000, Immunization, Health Ins.	From:	\$ 1,595.00
		To	\$ 4,253.00

and, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 171

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 123 OF 2017 APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 123 adopted on May 17, 2017 this Legislature authorized capital projects under the capital construction program to be done with county road fund monies during the year 2017-2018, which included \$30,000 covering project No. 374, Higby Road, County Road No. 96, located in the Town of Frankfort, for engineering & design services on NYS Rte 5S Access Ramp to 1500' Westerly of Access Ramp, ; and

WHEREAS, by letter dated June 19, 2017 from Mark A. Nagele, County Superintendent of Highways, this Legislature is advised that the scope of the project has changed by eliminating the western most turning lane and including a traffic signal at the eastern most intersection with Ring Road, and requests said project be amended for the increased cost of the engineering design fee; now, therefore, be it

RESOLVED, that Resolution No. 123 duly adopted on May 17, 2017 covering project No. 374, Higby Road, located in the Town of Frankfort, is hereby amended in the First Resolved Clause, to delete the amount of \$30,000.00 and replace it with \$52,000.00, with CHIPS funds to be used for the additional funds; and, be it further

RESOLVED, that in all other respects, Resolution No. 123 of 2017 is 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 and County Highway Superintendent.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 172

REPORT AND RESOLUTION AUTHORIZING CONSOLIDATED FUNDING APPLICATION FOR HERKIMER COUNTY

Sponsored by: Committee on County Planning and Development

WHEREAS, by letter dated July 10, 2017, from James W. Wallace, Jr., County Administrator, this Legislature is advised of a request to submit a Consolidated Funding Application offered by the State of New York, for the purpose of purchasing approximately 165 acres of land within the County for the purpose of economic development; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute any documents required to submit a Consolidated Funding Application to the State of New York to apply for funding on behalf of the County of Herkimer to purchase approximately 165 acres of land within the County for the purpose of economic development; and, be it further

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

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 173

REPORT AND RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FOR FLOOD PREVENTION PROJECTS IN A THREE COUNTY AREA

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

WHEREAS, by letter dated July 11, 2017, from James W. Wallace, Jr., County Administrator, this Legislature is advised of a request to sponsor an application for funding from the New York State Department of State Local Waterfront Revitalization Program covering six projects in three counties; and

WHEREAS, two of the projects are in Herkimer County: (1) replacement of an undersized bridge on Wiltse Hill Road and (2) flood proofing the portion of the Owen D. Young school that is in the Otsquago Creek floodplain; three of the projects are in Oneida County: (1) two stream restoration projects to improve flood resiliency and improve fish habitat and (2) to reconstruct two town roads using permeable paving material, reducing runoff; and one project in Schoharie County: (1) restoration of Mill Creek in the Village of Cobleskill, which will help mitigate flooding along Main Street in Cobleskill; and

WHEREAS, there will be no county dollars involved, except for one Herkimer County project where state CHIPS money will be used for matching funds, with all projects at 75% state, 25% local match; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute any documents required to sponsor and submit an application to the New York State Department of State Local Waterfront Revitalization Program for grant funding covering the above listed six projects in three counties, with a 75% state funding and a 25% local match; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Soil and Water Conservation District and the New York State Department of State Local Waterfront Revitalization Program.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No.174

RESOLUTION APPOINTING TRUSTEE AT HERKIMER COUNTY COMMUNITY COLLEGE.

Sponsored by: Committee on Education

WHEREAS, there presently exists a vacancy on the Board of Trustees; and

WHEREAS, it is the recommendation of your Committee on Education that Dr. Robert Decarlo of Herkimer, New York, be appointed to fill said vacancy; now, therefore, be it

RESOLVED, that Dr. Robert Decarlo, 800 Westwood Drive, Herkimer, New York, is hereby appointed as a member of the Board of Trustees of Herkimer County Community College, pursuant to Section 6306 of the Education Law of the State of New York, to fill a vacancy presently existing on said board, which term shall expire on June 30, 2021; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Personnel Officer, Chancellor of the State University of New York, the Vice Chancellor for Two Year Colleges, President of Herkimer County Community College, Senior Vice President for Administration and Finance of Herkimer County Community College, Chairperson of the Board of Trustees of Herkimer County Community College and Robert Decarlo.

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 175

RESOLUTION APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

Sponsored by: Committee on Ways and Means

RESOLVED, that the Herkimer County Legislature hereby establishes the following as standard work days for elected and appointed officials to report days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title	Name	SSN (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not submitted (Check box if no record of activity completed or timekeeping system)
Elected Officials									
District Attorney	Jeffrey S. Carpenter	████	██████████	6	1/1/17-12/31/20	N	27.96		
County Treasurer	Kimberlee A. Enea	████	██████████	6	1/1/17-12/31/20	N	22.61		
County Clerk	Sylvia M. Rowan	████	██████████	6	1/1/17-12/31/20	N	22.25		
Assistant District Attorney	Jacquelyn M. Asnoe	████	██████████	6	1/1/17-12/31/20	N	7		
Assistant District Attorney	Robert P. McGraw	████	██████████	6	1/1/17-12/31/20	N	28.42		
Assistant District Attorney	Robert Calli	████	██████████	6	1/1/17-12/31/20	N	27.83		
Assistant District Attorney	Clifford C. Eisenhut	████	██████████	6	1/1/17-12/31/20	N	5.68		

Dated: July 12, 2017.



HERKIMER COUNTY LEGISLATURE

No. 176

RESOLUTION APPOINTING CLERK OF THE COUNTY LEGISLATURE

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, Carole Lalonde has submitted her resignation as Clerk of the Herkimer County Legislature effective July 29, 2017; and

WHEREAS, there will be a vacancy in the said position as of July 31, 2017; now, therefore, be it

RESOLVED, that Sally I. Deming, 1426 State Route 169, Little Falls, New York, is hereby appointed Clerk of the Herkimer County Legislature effective July 31, 2017, at the base annual salary of the Clerk of the Legislature as stated in the 2017 Salary Schedule I; and, be it further

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

Dated: July 12, 2017.