

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
Second Quarter – First Day
Wednesday, April 5, 2017
2:00 p.m.**

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

Chairman Peplinski called on Anthony Fumarola, newly appointed Democratic Commissioner of Elections, 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, Johnson, Stephens, Keeler, Manno, Smith, Bono, Peplinski, Campione, Russell, Shaw, Weakley (13).

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of March 15, 2017. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Peplinski opened the floor for public comment. There were no appearances.

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. 107 – A communication was received from the County Highway Superintendent submitting 2016 Annual Report of the County Highway Department. Referred to the Committee on Highways.

No. 108 – A communication was received from the Director of the Youth Bureau submitting 2016 Annual Report of the Herkimer County Youth Bureau. Referred to the Committee on County Planning and Development

No. 109 – A communication was received from the County Clerk submitting the 2016 Annual Report of the County Clerk’s Office. Referred to the Committee on Administration/Veterans’ Affairs.

No. 110 – A communication was received from the Erie Canalway National Heritage Corridor submitting their 2016 Annual Report. Placed on file.

No. 111 – A communication was received from National Grid submitting semi-annual PCB Inventory Report. Placed on file.

No. 112 – A communication was received from the Office of the State Comptroller acknowledging receipt of mortgage recording tax local law. Placed on file.

No. 113 – A communication was received from Senator Seward acknowledging receipt of county resolution regarding support of Cornell Cooperative Extension Associations. Placed on file.

No. 114 – A communication was received from the Budget Officer submitting request for appropriation in connection with purchase of duplicating machine for the Information Services Print Shop. Referred to the Committee on Information Services and the Committee on Ways and Means.

No. 115 – A communication was received from the Budget Officer submitting recommendation for contract for gas cards. Referred to the Committee on Ways and Means.

No. 116 – A communication was received from the Commissioner of Social Services requesting agreement for Safe Harbor Grant. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 117 – A communication was received from the Commissioners of Elections requesting extension of grant. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 118 - A communication was received from the Chairman of the Sewer District Board advising of recommendation for reappointment to Sewer Board. Referred to the Committee on Natural Resources.

No. 119 – A communication was received from the Personnel Officer requesting addendum of contract with health insurance consultant. Referred to the Committee on Ways and Means.

No. 120 – A communication was received from the Budget Officer requesting budget amendment in connection with receipt of HealthNet funding. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 121 - A communication was received from the County Highway Superintendent requesting increase in Mucky Run Road Project. Referred to the Committee on Highways.

No. 122 – A communication was received from the Budget Officer submitting request for transfers of funds. Referred to the Committee on Ways and Means.

No. 123 – A communication was received from the County Administrator requesting renewal of contract with Strategic Development Specialists. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 124 – A communication was received from the Director of Real Property Tax Services submitting the 2016 Annual Report of the Real Property Tax Services Agency. Referred to the Committee on Ways and Means.

No. 125 – A communication was received from JoAnn Boyer advising of her retirement as Director of Information Services. Referred to the Committee on Information Services and the Committee on Ways and Means.

No. 126 – A communication was received from the Chairman of the Legislature advising of being out of town and authorizing Vice-Chairman to sign documents in his absence. Placed on file.

No. 127 – A communication was received from the Personnel Officer submitting for appointment of Acting Director of Information Services. Referred to the Committee on Information Services and the Committee on Ways and Means.

No. 128 – A communication was received from the Minority Leader advising of selection of Commissioner of Elections by Democratic member of the County Legislature. Placed on file.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Vincent Bono, Chairman of the Committee on County Planning and Development stated that “Project Boxer” is moving ahead for the Frankfort 5S Business Park and that the IDA is working with the company and hopes to have a contract in place in the near future. He also stated that the Solid Waste Authority held their electronics pickup in Little Falls and had over 150 residents take part. Raymond Johnson, Chairman of the County Properties, advised that the Land Bank Council has just received a grant of \$1,642,000 and they are the largest land bank in the State. Raymond Smith, Chairman of the Human Resources Committee, commented on the update of the recent information received and prepared by the combined Mental Health and Department of Social Services and also the information “Heartbeat of the Municipalities” profile compiled by Dale Miller of the Herkimer-Oneida Counties Planning Department. He stated that both of these documents are very important and encouraged all legislators to read them and the statistics of all municipalities and their comparisons.

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

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

Consent Agenda:

- 84 CO. PLANNING & DEV.: Adopting Annual Report of Youth Bureau
- 85 ADMIN./VET. AFFAIRS: Adopting Annual Report of County Clerk
- 86 HIGHWAYS: Adopting Annual Report of County Supt. of Highways
- 87 WAYS & MEANS: Adopting Annual Report of Real Property Tax Services
- 88 NAT. RESOURCES: Designating Member to Sewer Board
- 89 WAYS & MEANS: Transferring Funds

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 90 sponsored by the Committee on Highways amending Resolution No. 244 of 2016 approving Project under Article 116 of the Highway Law was handed up; was voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 91 sponsored by the Committee on Committee on Ways and Means and the Committee on Human Resources authorizing an agreement in connection with Safe Harbor Grant for Herkimer County Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 92 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing agreement with Strategic Development Specialists to render professional services regarding grant writing to further economic development in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Shaw, seconded by Mr. Campione, Report and Resolution No. 93 sponsored by the Committee on Natural Resources setting public hearing on annual thirty-day period for 2017 for inclusion of viable agricultural land within a certified agricultural district was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 94 sponsored by the Committee on Human Resources and the Committee on Ways and Means approving budget amendment for Herkimer County HealthNet, Inc. was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Shaw, seconded by Mr. Russell, Report and Resolution No. 95 sponsored by the Committee on Ways and Means approving addendum to contract for health insurance broker services was handed up; was voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Johnson, seconded by Mr. Schrader, Report and Resolution No. 96 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means extending contract for grant for Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 97 sponsored by the Committee on Ways and Means authorizing contract for provision of fuel for county vehicles was handed up; voted on and adopted by voice vote:

For: All ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Manno, seconded by Mr. Shaw, Report and Resolution No. 98 sponsored by the Committee on Information Services and the Committee on Ways and Means appropriating funds in connection with duplicating machine for Information Services Print Shop was handed up; was voted on and adopted by roll call vote:

For: Malta, Schrader, Johnson, Stephens, Keeler, Manno, Smith, Bono, Peplinski, Campione, Russell, Shaw, Weakley (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

On motion of Mr. Manno, seconded by Mr. Smith, Report and Resolution No. 99 sponsored by the Committee on Information Services and the Committee on Ways and Means appointing Acting Director of Information Services was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

Mrs. Wright expressed appreciation for the appointment.

Chairman Peplinski then asked the student from the Cornell Cooperative Extension Government Intern Program to introduce himself and what school he was from.

On motion of Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 100 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means approving a Small Cities Grant was handed up; Mr. Bono stated that this is a \$750,000 federal pass through grant for "Project Boxer" to be administered by the IDA ; was voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Markwardt, Wellington, Brezinski, Ackerman (4).

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. Legislator Bono stated he wanted congratulate the Town of Schuyler and its residents on recently celebrating their 225th Anniversary. Chairman Peplinski

congratulated the Town of Schuyler and stated that they have always worked with the County. Legislator Schrader stated congratulations to JoAnn Boyer on her retirement as Director of Information Services and expressed appreciation for her service to the County.

At 2:15 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, April 26, 2017 at 7:30 p.m., with a public hearing on the 2017 Open Enrollment for Agricultural Districts held at 7:15 p.m.

Carole LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 84

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on County Planning and Development

Your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau for the year 2016 respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Youth Bureau for the year 2016 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 85

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY CLERK

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of Sylvia M. Rowan, County Clerk, pertaining to monies received by her office for the period ending December 31, 2016, respectfully reports and offers the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Clerk for the year 2016 be adopted and be placed on file with the Herkimer County Legislature for the year 2016.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 86

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY SUPERINTENDENT OF HIGHWAYS

Sponsored By: Committee on Highways

Your Committee on Highways, to which was referred the Annual Report for 2016 of the County Highway Superintendent, 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 County Superintendent of Highways be adopted and placed on file with the Herkimer County Legislature for the year 2016.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 87

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS APPROVING ANNUAL REPORT OF THE REAL PROPERTY TAX OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of the Real Property Tax Service Agency, submitting the 2016 Annual Report of the Herkimer County Real Property Tax Office, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2016 Annual Report of the Herkimer County Real Property Tax Office hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2016.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 88

REPORT AND RESOLUTION DESIGNATING MEMBER TO HERKIMER COUNTY SEWER BOARD

Sponsored by: Committee on Natural Resources

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 100 for the year 1993 determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board and appointed the chief executive officer or their designees of the Villages of Ilion, Frankfort and Mohawk and the Towns of Frankfort and German Flatts as members of said Board; and

WHEREAS, by letter March 8, 2017 from the Chairman of the Herkimer County Sewer District Board, your Committee has been advised that the Village of Mohawk has submitted a letter for the reappointment of the Irene Sweet as the Village of Mohawk representative on the Herkimer County Sewer District Board for a five year term; now, therefore, be it

RESOLVED, that Irene Sweet, 20 Church Street, Mohawk, NY 13407, is hereby re-appointed as representative of the Village of Mohawk on the Herkimer County Sewer District Board for a five year term to expire on 2/28/2022; and, be it further

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

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 89

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 communication from Sheri Ferdula, Budget Officer, dated March 16, 2017 submitting requests 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 sums from and to the following accounts in the 2017 Budget:

\$5,213.43	From: CD6300.10000-001, Dislocated Worker, Salaries, ET05-16 To: CD6294.42100, One Stop, Telephone
\$1,143.05	From: CD6300.10000-001, Dislocated Worker, Salaries, ET05-16 To: CD6294.44000, One Stop, Contracted Services
\$12,000	From: CD6294.10000-001, One Stop Salaries To: CD6294.44000, One Stop, Contracted Services

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

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 90

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 244 OF 2016 APPROVING PROJECT UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 244 for 2016 this Legislature authorized capital projects under the capital construction program to be done with county road fund monies during the year 2016-2017, which included \$800,000.00 covering project No. 369, Mucky Run Road, located in the Town of Frankfort; and

WHEREAS, by letter dated March 16, 2017 from Mark A. Nagele, County Superintendent of Highways, this Legislature is advised of a request to amend said project to increase the appropriated amount by \$100,000.00; now, therefore, be it

RESOLVED, that Resolution No. 244 duly adopted on October 26, 2016 covering project No. 369, Mucky Run Road, located in the Town of Frankfort, is hereby amended in the First Resolved Clause, to delete the amount of \$800,000.00 and replace it with \$900,000.00, with CHIPS funds to be used for the additional funds; and, be it further

RESOLVED, that in all other respects, Resolution No. 244 of 2016 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: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 91

REPORT AND RESOLUTION AUTHORIZING AN AGREEMENT IN CONNECTION WITH SAFE HARBOR GRANT FOR HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by Resolution No. 55 adopted February 15, 2017, a Safe Harbor Grant in the amount of \$50,000 was received by the Herkimer County Department of Social Services from the New York State Office of Children and Family Services, with said funds to be used to develop a service system to meet the needs of all sexually exploited children to include developing a community task force, community awareness efforts, case assessment and referral, supportive services, emergency supplies and other related services; and

WHEREAS, by letter dated March 15, 2017, Timothy Seymour, Commissioner of Social Services, has requested an agreement with the YWCA of the Mohawk Valley and its Child Advocacy Center, for the role of Safe Harbor Facilitator in Herkimer County, at a cost not to exceed the \$50,000 awarded for the Herkimer County Safe Harbor funding for the year 2017; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an agreement with YWCA of the Mohawk Valley and its Child Advocacy Center, 1000 Cornelia Street, Utica, NY 13502, in the amount of \$50,000 to provide services under a Safe Harbor Grant for the Herkimer County Department of Social Services, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall continue so long as 100% funding is available from the New York State Office of Children and Family Services; and, be it further

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

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 92

REPORT AND RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH STRATEGIC DEVELOPMENT SPECIALISTS TO RENDER PROFESSIONAL SERVICES REGARDING GRANT WRITING TO FURTHER ECONOMIC DEVELOPMENT IN HERKIMER COUNTY

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

WHEREAS, by letter dated March 13, 2017, James W. Wallace, Jr., County Administrator, has requested an amendment of the current agreement entered into with Strategic Development Specialists of Syracuse, New York, to provide services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, to extend said agreement for an additional twelve month period through April 4, 2018; and

WHEREAS, the cost for such services will be \$5,000 per month plus incidentals totaling \$3,000 annually, for the period April 5, 2017 through April 4, 2018, with all other terms of the agreement to remain in force and effect; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into an amendment of the agreement with Strategic Development Specialists, P.O. Box 205, Syracuse, New York 13214, to provide professional services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, at a cost of \$5,000 per month, plus incidentals totaling \$3,000 annually, to extend the contract for the period April 5, 2017 through April 4, 2018, with all other terms of the agreement to remain in full force and effect, and with said contract to be subject to 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 and Strategic Development Specialists.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 93

RESOLUTION SETTING PUBLIC HEARING ON ANNUAL THIRTY-DAY PERIOD FOR 2017 FOR INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN A CERTIFIED AGRICULTURAL DISTRICT

Sponsored by: Committee on Natural Resources

WHEREAS, Section 303-b of the Agriculture and Markets Law provides that the County Legislature of a county containing a certified agricultural district must designate an annual 30 day period within which a landowner may submit a request for inclusion of land which is predominately viable agricultural land within a certified agricultural district; and

WHEREAS, Resolution No. 146 adopted by this Legislature on May 19, 2004 set the annual 30 day period from January 1 through January 31 of each year; and

WHEREAS, pursuant to statute, requests received during said 30 day period for 2017 were referred to the County Agricultural and Farmland Protection Board for their recommendation, and reports are now ready to be made and a public hearing may now be held; now, therefore, be it

RESOLVED, that a Public Hearing be held on the 26th of April, 2016 at 7:15 p.m. on the Annual 30-day Period for Additions to Agricultural Districts for the year 2017; and, be it further

RESOLVED, that the Clerk of this Legislature give proper notice thereof pursuant to Section 303-b of the Agriculture and Markets Law of the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Cornell Cooperative Extension Services and the Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 94

REPORT AND RESOLUTION APPROVING BUDGET AMENDMENT FOR HERKIMER COUNTY HEALTHNET, INC.

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

WHEREAS, by communication dated March 20, 2017, Sheri Ferdula, Budget Officer, has advised that the Rural Health Network Development budget and Work Plan for April 1, 2017 through March 31, 2018 has been approved by the New York State Department of Health, and; and it is necessary to amend the Herkimer County Budget in connection with the receipt of said grant funding; now, therefore, be it

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

Revenue:

A4018.3418, Healthcare Network	From:	\$0
	To:	\$156,000

Appropriation

A4018.44000 Herkimer County HealthNet, Cont. Serv.	From:	\$0
	To:	\$156,000

and, be it further

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

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 95

REPORT AND RESOLUTION APPROVING ADDENDUM TO CONTRACT FOR HEALTH INSURANCE BROKER SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 162 adopted on July 6, 2016, this Legislature authorized a contract with Gilroy, Kernan & Gilroy Insurance to perform health insurance consultant services for the County of Herkimer for the period from August 1, 2016 through July 31, 2019, at a cost of \$45,000.00 per year; and

WHEREAS, by letter dated March 16, 2017, Steven R. Billings, Personnel Officer, has requested approval of an addendum to said contract to authorize Gilroy, Kernan & Gilroy to receive commissions from Excellus on the RX portion of the County's account, and in turn, net the commissions received against the fees the County pays to Gilroy, Kernan & Gilroy; now, therefore, be it

RESOLVED, that an addendum of the contract entered into with Gilroy, Kernan & Gilroy Insurance, 210 Clinton Road, P.O. Box 542, New Hartford, NY 13413, to perform health insurance consultant services for the County for the period from August 1, 2016 through July 31, 2019, is hereby approved to authorize Gilroy, Kernan & Gilroy to receive commissions from Excellus on the RX portion of the County's account, and in turn, net the commissions received against the fees the County pays to Gilroy, Kernan & Gilroy; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said addendum to said contract on behalf of the County of Herkimer, with the terms and conditions 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 Gilroy, Kernan & Gilroy Insurance.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 96

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 51 of 2007, Resolution No. 342 of 2009, Resolution No. 65 of 2013 and Resolution No. 71 of 2015, this Legislature approved contracts and extensions of contracts with the State of New York to receive certain grant funding in connection with HHS 2009 Federal Accessibility Funds and Voter Education/Poll Worker Training; and

WHEREAS, by letter dated March 2, 2017 from the Commissioners of Elections your Committees have been advised that the New York State Board of Elections has notified them that the Voter Education/Poll Worker Grant has been extended to March 31, 2018; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension to March 31, 2018 on behalf of the County of Herkimer with the New York State Board of Elections in connection with the Voter Education/Poll Worker Training Program in the original contract amount of \$37,463; and, be it further

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

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

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 97

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR PROVISION OF FUEL FOR COUNTY VEHICLES

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 186 of 2013 a contract was entered into with Champlain Oil (COCO-Voyager-Wex) for the provision of gasoline at the pump (gas cards) for Herkimer County vehicles, exclusive of the Herkimer County Highway Department, for the period of two years from September 13, 2013 through August 31, 2015, with the option of two one-year renewals, which contract has now expired; and

WHEREAS, by letter dated March 16, 2017, Sheri Ferdula, Officer, has advised of the opportunity to "piggyback" on an Oneida County contract, through a competitive bidding process, with pricing more favorable than the current contract; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a contract for the provision of gasoline at the pump (gas cards) for Herkimer County vehicles, exclusive of the Herkimer County Highway Department to Champlain Oil (COCO-Voyager-Wex), 2591 County Road 9, Scio, NY 14880, with pricing as listed below, and with an additional \$.02 per gallon discount at all Clifford Fuel Nice-N-Easy locations:

87 Octaine Gasoline:	
Price Above Rack (laid in cost)	\$0.080
Premium Diesel	\$0.083
Price Above Rack (laid in cost)	
89 Octane Gasoline	\$0.080

and, be it further

RESOLVED, that said contract shall be for a period of three years with three one-year renewal options; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, with the terms and conditions of said contract 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, and Champlain Oil.

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 98

REPORT AND RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH DUPLICATING MACHINE FOR INFORMATION SERVICES PRINT SHOP

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

WHEREAS, by letter dated March 23, 2017, Sheri A. Ferdula, Budget Officer, has advised that proposals were received for new leases for the duplicating machine for the Information Services Print Shop; and

WHEREAS, after review of the proposals, it is recommended that it is in the best interest of the County to purchase the current Ricoh machine at a cost of \$4,940.67, along with an additional drum at a cost of \$567.00, which includes a five year maintenance plan priced at \$0.0029 per page; and

WHEREAS, said letter further advises that there is sufficient funding available in the Computer Reserve Fund for an appropriation to establish an equipment account in connection with said purchase; now, therefore, be it

RESOLVED, that the sum of \$5,507.67 is hereby appropriated from A878, Computer System Reserve to A1670.25000, Central Printing, Other Equipment; and, be it further

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

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

Dated: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 99

REPORT AND RESOLUTION APPOINTING ACTING DIRECTOR OF INFORMATION SERVICES

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

WHEREAS, by letter dated March 23, 2017 JoAnn Boyer has submitted her resignation effective March 31, 2017; and

WHEREAS, there is presently a vacancy in that position; and

WHEREAS, by letter dated March 28, 2017, Steven R. Billings, Personnel Officer, has indicated that Kathy Wright may be temporarily appointed as Acting Director of Information Services, effective April 3, 2017 through June 1, 2017, at a base annual salary of \$58,000, with all other benefits that are currently in place for Ms. Wright remaining the same; now, therefore, be it

RESOLVED, that Kathy Wright, 108 Murphy Road, Little Falls, be, and she hereby is, appointed as Acting Director of Information Services, effective April 3, 2017 through June 1, 2017, at the base annual salary of \$58,000; 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: April 5, 2017.



HERKIMER COUNTY LEGISLATURE

No. 100

REPORT AND RESOLUTION APPROVING A SMALL CITIES GRANT

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

WHEREAS, by letter received from Stephen R. Smith, Executive Director of the Herkimer County Industrial Development Agency, on March 31, 2017, a request has been made for the approval by the Herkimer County Legislature of a Small Cities Grant in the amount of \$750,000 to "Project Boxer", a code name given by Empire State Development for a national retail chain that plans on building a distribution center in the Frankfort 5S South Business Park, commonly known as the Pumpkin Patch; and

WHEREAS, that letter further advises that this Small Cities Grant is considered Program Income as far as the Office of Community Renewal is concerned, which can be awarded to a company by resolution given by the Herkimer County Legislature; and

WHEREAS, that letter further advises that Project Boxer plans on building a 930,500 square foot facility on 141.5 acres at the Pumpkin Patch with plans to break ground on July 1, 2017, and a completion date of September 2018, with 350 jobs being created with a total project cost of just under \$80,000,000; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above described Small Cities Grant of \$750,000; and, be it further

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

Dated: April 5, 2017.