

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
First Quarter – Third Day
Wednesday, February 15, 2017
7:30 p.m.**

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

Chairman Peplinski called on Assemblyman Brian Miller to lead the Legislature in the Pledge of Allegiance.

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

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

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

Absent: Stephens (1).

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 January 25, 2017. There were none, and the Chairman ordered them approved.

Chairman Peplinski dispensed with the Regular Session to allow for a presentation and introduced Brian Miller, newly elected Assemblyman for the 101st District. Assemblyman Miller thanked Chairman Peplinski for the invitation to attend. He advised that his office is going to be very accessible to everyone throughout the district and region, adding that being a county legislator himself for the past 16 years, he knows how important it is to have your state representatives here, and stated that during the course of the year he will be attending the meetings periodically to listen to all their concerns.

Pursuant to Rule 11, Chairman Peplinski opened the floor for public comment. Wendy Richardson from the Cornell Cooperative Extension 4-H Government Intern Program advised the Legislature of the upcoming spring session to start in March. She encouraged the legislators to reach out to the schools in their district to send students to attend and expressed appreciation to the County Legislature for sponsoring this program.

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. 56 – A communication was received from the New York State Association of Counties acknowledging receipt of a resolution. Placed on file.

No. 57 – A communication was received from the Budget Officer submitting request for budget amendment in connection with Safe Harbor Programming in Dept. of Social Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 58 – A communication was received from the Director of Information Services submitting annual report of Central Printing Department. Referred to the Committee on Information Services.

No. 59 – A communication was received from the District Attorney designating line of succession in the District Attorney's Office. Placed on file.

No. 60 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 61 – A communication was received from the Director of Information Services submitting 2016 Annual Report. Referred to the Committee on Information Services.

No. 62 – A communication was received from the County Attorney advising of receipt of Summons and Complaint. Referred to the Committee on Ways and Means.

No. 63 – A communication was received from the Director of Public Health requesting reappointments to the Health Services Advisory Board. Referred to the Committee on Human Resources.

No. 64 – A communication was received from the Director of Public Health requesting reappointments to the Professional Services Advisory Board. Referred to the Committee on Human Resources.

No. 65 – A communication was received from the Commissioner of Social Services requesting acceptance of Safe Harbor funding from the Office of Children and Family Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 66 – A communication was received from the Budget Officer advising of recommendation for award of bid for meals on wheels program for the West Winfield area. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 67 – A communication was received from the Budget Officer requesting renewal of court cleaning contract. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 68 – A communication was received from the Budget Officer submitting annual report of Purchasing Agent. Referred to the Committee on Ways and Means.

No. 69 – A communication was received from the Commissioner of Elections submitting 2016 Annual Report. Referred to the Committee on Administration/Veterans Affairs.

No. 70 – A communication was received from the County Attorney’s Office submitting report of pending litigation for 2016. Referred to the Committee on Ways and Means.

No. 71 – A communication was received from the Personnel Officer submitting 2016 Annual Report of former Herkimer County Self-Insured Workers’ Compensation Plan. Referred to the Committee on Ways and Means.

No. 72 – A communication was received from the Personnel Officer submitting 2016 Annual Report of stand-alone Workers’ Compensation Plan. Referred to the Committee on Ways and Means.

No. 73 – A communication was received from the Majority Leader advising of selection of Commissioner of Elections by majority vote of Republican legislators. Placed on file.

No. 74 – A communication was received from the Personnel Officer submitting 2016 Annual Report of Personnel Office. Referred to the Committee on Ways and Means.

No. 75 – A communication was received from the Director of Weights and Measures submitting 2016 Annual Report. Referred to the Committee on Natural Resources.

No. 76 – A communication was received from the Director of the Office for the Aging submitting 2016 Annual Report. Referred to the Committee on Human Resources.

No. 77 – A communication was received from the Budget Officer recommending budget in connection with Safe Harbor Grant. Referred to the Committee on Human Resources and the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. There were no reports.

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

For: Ayes (16).

Against: None.

Absent: Stephens (1).

Consent Agenda:

- | | | |
|----|--|-------|
| 42 | NAT. RESOURCES: Adopting Annual Report of Dir. Of Weights And Measures | VOICE |
| 43 | HUMAN RES.: Adopting Annual Report of Office for the Aging | VOICE |
| 44 | WAYS & MEANS: Adopting Annual Report of Stand Alone Workers’ | VOICE |

Compensation Plan

- | | | |
|----|--|-------|
| 45 | WAYS & MEANS: Adopting Annual Report of Former Self-Insurance Plan | VOICE |
| 46 | WAYS & MEANS: Adopting Annual Report of Fees received by Personnel Office | VOICE |
| 47 | WAYS & MEANS: Adopting Annual Report of Purchasing Agent | VOICE |
| 48 | ADMIN./VET. AFFAIRS: Adopting Annual Report of Board of Elections | VOICE |
| 49 | INFORMATION SVCS: Adopting Annual Report of Information Services And Central Printing. | VOICE |

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Shaw, seconded by Mr. Schrader, Report and Resolution No. 50 sponsored by the Committee on Human Resources concerning membership on Professional Services Advisory Board was handed up; was voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Smith, seconded by Mr. Weakley, Report and Resolution No. 51 sponsored by the Committee on Human Resources concerning membership on Health Services Advisory Board was handed up; was voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 52 sponsored by the Committee on Human Resources and the Committee on Ways and Means awarding contract for meals on wheels and congregate meals programs for West Winfield Area was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 53 sponsored by the Committee on Ways and Means authorizing transfer of funds in the 2016 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 54 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with contract with New York State Office of Court Administration to provide cleaning and minor repairs of court facilities was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Bono, seconded by Mr. Schrader, Report and Resolution No. 55 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending budget in connection with receipt of Safe Harbor Grant for Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None. Absent: Stephens (1).

On motion of Mr. Johnson, seconded by Mr. Bono, Report and Resolution No. 56 sponsored by the Committee on County Properties for the sale of in rem parcel was handed up; was voted on and adopted by roll call vote:

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

Against: None. Absent: Stephens (1).

On motion of Mr. Johnson, seconded by Mr. Schrader, Report and Resolution No. 57 sponsored by the Committee on Administration/Veterans' Affairs to support legislation to provide presumptive cancer coverage to volunteer firefighters was handed up; Mr. Ackerman made a motion to table the resolution until there is more information on how this will impact the local municipalities to be clear on what they are supporting. The motion received no second. The resolution was then voted on and adopted by voice vote:

For: Ayes (15).

Against: Ackerman (1). Absent: Stephens (1).

On motion of Mr. Campione, seconded by Mr. Shaw, Report and Resolution No. 58 sponsored by the Committee on Natural Resources appointing members to the Intercounty Legislative Committee of the Adirondacks was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Stephens (1).

On motion of Mr. Johnson, seconded by Mr. Malta, Report and Resolution No. 59 sponsored In Memoriam to A. Frank Dolan was handed up and read. Legislator Brezinski commented that Mr. Dolan was a fair person and that any time you called on him he looked into the matter. County Administrator Wallace stated he had worked for Mr. Dolan and was one of the most dedicated and professional employees the County has had. The resolution was voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Stephens (1).

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

At 7:52 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, March 15, 2017 at 7:30 p.m.

Carole LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 42

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF DIRECTOR OF WEIGHTS AND MEASURES

Sponsored by: Committee on Natural Resources

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report of the Director of Weights and Measures for the year 2016, reports that we have examined said report, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Director of Weights and Measures be adopted and filed with the Herkimer County Legislature for the year 2016.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 43

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE AGING

Sponsored by: Committee on Human Resources

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

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 44

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE WORKERS' COMPENSATION PLAN

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2016, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2016 be adopted and filed with the Herkimer County Legislature.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 45

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF INSURANCE PLAN

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the Annual Report of the former Herkimer County Self Insurance Plan for the year 2016, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the former Herkimer County Self Insurance Plan for the year 2016 be adopted and filed with the Herkimer County Legislature.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 46

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FEES RECEIVED BY THE HERKIMER COUNTY PERSONNEL OFFICE

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2016, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2016 be approved and placed on file with the Herkimer County Legislature.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 47

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PURCHASING AGENT FOR THE YEAR 2016

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Budget Officer and Purchasing Agent, submitting the report of the Purchasing Department the months of January through December, 2016, respectfully reports that we have examined said report, recommend its adoption and offer the following resolution:

RESOLVED, that the annual report of the Purchasing Agent for the year 2016 be adopted and filed with the Herkimer County Legislature.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 48

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY BOARD OF ELECTIONS

Sponsored by: Committee on Administration/Veterans' Affairs

Your Committee on Administration/Veterans Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2016, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 49

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE INFORMATION SERVICES AND CENTRAL PRINTING DEPARTMENTS

Sponsored by: Committee on Information Services

Your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2016, and the Annual Report for the Central Printing Department for the year 2016, respectfully reports that we have examined the same, recommend the adoption of said reports, and offer the following Resolution:

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 50

REPORT AND RESOLUTION CONCERNING MEMBERSHIP ON THE PROFESSIONAL SERVICES ADVISORY BOARD OF THE HERKIMER COUNTY PUBLIC HEALTH NURSING SERVICE

Sponsored by: Committee on Human Resources

WHEREAS, by Resolution No. 19 adopted on January 29, 2014 this Legislature made appointments of individuals to the Professional Services Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2016, which was amended by Resolution No. 116 of 2015 to list by title/agency, not by individual name on said Board; and

WHEREAS, by letter dated January 20, 2017, Christina Cain, Director of Public Health, has submitted recommendations for appointment/reappointment by title/agency for three year terms to expire December 31, 2019; now, therefore, be it

RESOLVED, that the individuals serving in the following titles/agencies are hereby appointed/reappointed to serve as a members of the Professional Services Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2019: Chairman, Herkimer County Legislature; Director of Office for the Aging; Herkimer County Legislature Representative; Herkimer County HealthNet Representative; Healthy Families Representative; Medical Director/Herkimer County Public Health Nursing Service; Little Falls Hospital Representative; Chairman, Committee on Human Resources; Herkimer County Administrator; Registered Dietitian Representative; Registered Pharmacist Representative; and Director of Herkimer County Public Health; and, be it further

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 51

REPORT AND RESOLUTION CONCERNING MEMBERSHIP ON THE HEALTH SERVICES ADVISORY BOARD OF THE HERKIMER COUNTY PUBLIC HEALTH NURSING SERVICE

Sponsored by: Committee on Human Resources

WHEREAS, by Resolution No. 18 adopted on January 29, 2014 this Legislature made appointments of individuals to the Health Services Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2016, which was amended by Resolution No. 115 of 2015 to list by title/agency, not by individual name on said Board; and

WHEREAS, by letter dated January 20, 2017, Christina Cain, Director of Public Health, has submitted recommendations for appointment/reappointment to the Health Services Advisory Board by title/agency for three year terms to expire December 31, 2019; now, therefore, be it

RESOLVED, that the individuals serving in the following titles/agencies are hereby appointed/reappointed to serve as a members of the Health Services Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2019: LPN/Public Health; Director of Public Health; Supervising Community Health Nurse/Public Health; Mental Health/RN; ARC Representative; RN/Herkimer College; Director/Herkimer District Office, NYSDOH; Community Health Nurse/Public Health; Family Nurse Practitioner; Planned Parenthood Representative and Community Representative; and, be it further

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 52

REPORT AND RESOLUTION AWARDING CONTRACT FOR MEALS ON WHEELS AND CONGREGATE MEALS PROGRAMS FOR THE WEST WINFIELD AREA

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

WHEREAS, this Legislature is informed by communication dated January 27, 2017 from Sheri Ferdula, Budget Officer, that the Herkimer County Office for the Aging, through federal grants and local sharing, has funds for the Meals on Wheels Programs and reports that the lowest price, including the cost of transportation of delivery, has been calculated and provided by the Office for the Aging; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes a catering contract for the Meals on Wheels and Congregate Meals programs for the West Winfield area for the period of April 1, 2017 through March 31, 2018, with said contract to have an option for a one-year renewal, with a cost of living adjustment, and with said contract to contain a 60 day termination of contract provision:

Area:	Number of meals:	Cost:
<i>West Winfield area:</i> Red Door Dairy Store, LLC Brace Rd., West Winfield, NY	up to 60 meals/day \$3.75/day delivery up to \$926.25/year	\$6.41/meal, up to \$94,996.20 annually

And, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, and with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 53

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN THE 2016 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 January 31, 2017, submitting requests for transfers of funds, reports that we have examined said communication, inquired into the subject matters 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 2016 Budget:

\$3,282.05	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A1325.86000	Treasurer, Health Insurance
\$4,490.16	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A1326.86000	Tax Department, Health Insurance
\$293.58	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A1410.86000	County Clerk, Health Insurance
\$11,659.97	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A1450.86000	Board of Elections, Health Insurance
\$4,631.81	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A1680.86000	IS, Health Insurance
\$743.13	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A3020.86000	Public Safety, Health Insurance
\$1,800.01	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A3140.86000	Probation, Health Insurance
\$3,482.51	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A3141.86000	Alt. to Inc. Health Insurance
\$6,771.97	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A6031.86000	Public Home, Health Insurance
\$7,732.18	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A6772.86000	Aging IIIB, Health Insurance
\$3,832.98	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A6776.81000	Aging, CII, Retirement
\$1,434.81	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A6777.86000	Aging, HEAP, Health Insurance
\$8,700.00	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A3110.86000	Sheriff, Health Insurance

\$1,844.00	FROM	A4059.86000	Early Intervention, Health Insurance
	TO	A3110.86000	Sheriff, Health Insurance
\$18,000.00	FROM	A1320.86000	Auditor, Health Insurance
	TO	A3110.86000	Sheriff, Health Insurance
\$8,500.00	FROM	A1165.86000	District Attorney, Health Insurance
	TO	A3110.86000	Sheriff, Health Insurance
\$3,000.00	FROM	A1165.86000	District Attorney, Health Insurance
	TO	A3110.86000	Sheriff, Health Insurance
\$13,700.00	FROM	A1355.81000	Real Property, Retirement
	TO	A3110.86000	Sheriff, Health Insurance
\$10,700.00	FROM	A1420.86000	County Attorney, Health Insurance
	TO	A3110.86000	Sheriff, Health Insurance
\$5,610.00	FROM	A1420.81000	County Attorney, Retirement
	TO	A3110.86000	Sheriff, Health Insurance
\$13,300.00	FROM	A1620.86000	Buildings, Health Insurance
	TO	A3150.86000	Jail, Health Insurance
\$9,800.00	FROM	A1430.86000	Personnel, Health Insurance
	TO	A3150.86000	Jail, Health Insurance
\$15,251.00	FROM	A3021.81000	Public Safety, Retirement
	TO	A3150.86000	Jail, Health Insurance
\$25,000.00	FROM	A6012.86000	Managed Care, Health Insurance
	TO	A4010.86000	Public Health, Health Insurance
\$14,000.00	FROM	A4320.81000	Mental Health, Retirement
	TO	A4010.86000	Public Health, Health Insurance
\$6,000.00	FROM	A4320.86000	Mental Health, Health Insurance
	TO	A4010.86000	Public Health, Health Insurance
\$10,000.00	FROM	A6141.86000	HEAP, Health Insurance
	TO	A4010.86000	Public Health, Health Insurance
\$1,061.00	FROM	A6141.81000	HEAP, Retirement
	TO	A4010.86000	Public Health, Health Insurance
\$211,817.00	FROM	D9901	County Road, Interfund Transfers
	TO	A6010.86000	Social Services, Health Insurance
\$10,500.00	FROM	A3021.86000	Public Safety, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance
\$7,000.00	FROM	A6775.86000	Aging, CSE, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance
\$3,500.00	FROM	A6775.81000	Aging, CSE, Retirement
	TO	A6010.86000	Social Services, Health Insurance
\$2,400.00	FROM	A6610.86000	W & M, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance
\$2,500.00	FROM	A1340.86000	Budget & Purchasing, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance
\$4,600.00	FROM	A6774.86000	Aging, CI, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance

\$4,600.00	FROM	A6776A.81000	Aging, SNAP, Retirement
	TO	A6010.86000	Social Services, Health Insurance
\$6,000.00	FROM	A6510.86000	Veterans, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance
\$7,000.00	FROM	A1010.81000	Legislature, Retirement
	TO	A6010.86000	Social Services, Health Insurance
\$3,000.00	FROM	A1355.83000	Real Property, Social Security
	TO	A6010.86000	Social Services, Health Insurance
\$2,000.00	From	A1355.86000	Real Property, Health Insurance
	TO	A6010.86000	Social Services, Health Insurance

and, be it further

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 54

REPORT AND RESOLUTION IN CONNECTION WITH CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE CLEANING AND MINOR REPAIRS OF COURT FACILITIES

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

WHEREAS, by Resolution No. 266 duly adopted on November 13, 2013, this Legislature authorized an agreement with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum of five years beginning April 1, 2013 through March 31, 2018; and

WHEREAS, by letter dated January 24, 2017, from Sheri Ferdula, Budget Officer and Purchasing Agent this Legislature is advised that the State of New York Unified Court System has requested that an Annual Renewal Letter and Budget be approved and signed for the period commencing April 1, 2017 through March 31, 2018, with the maximum compensation for said period to be \$80,712.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the Annual Renewal Letter and Budget for the period April 1, 2017 through March 31, 2018 with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum compensation of \$80,712.00 for said period; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and New York State Office of Court Administration.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 55

REPORT AND RESOLUTION AMENDING BUDGET AND ESTABLISHING ACCOUNTS IN CONNECTION WITH RECEIPT OF SAFE HARBOR GRANT FOR DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated January 27, 2017 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of the receipt of a Safe Harbor Grant in the amount of \$50,000 from the New York State Office of Children and Family Services, Bureau of Youth Development, which funding stream had previously been distributed through the Herkimer County Youth Bureau; and

WHEREAS, said funds are to be used to develop a service system to meet the needs of all sexually exploited children to include developing a community taskforce, community awareness efforts, case assessment and referral, supportive services, emergency supplies and other related services; and

WHEREAS, by letter dated February 2, 2017 from Sheri Ferdula, Budget Officer, this Legislature is advised that it is necessary to establish accounts in the 2017 Budget in connection with the receipt of said grant from the NYS Office of Children and Family Services, which grant is 100% state funded, with no local match required; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an agreement, in connection with the receipt and implementation of a Safe Harbor Grant in the amount of \$50,000 for the Herkimer County Department of Social Services; and, be it further

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

REVENUE:

A 6015.3820D, Safe Harbor, State Aid	\$50,000.00
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EXPENSE:

A6015.41000, Safe Harbor, Supplies	\$ 500.00
A6015.44000, Safe Harbor, Contracted Services	\$49,000.00
A6015.46100, Safe Harbor, Mileage and Travel	\$ 500.00

And, be it further

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

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 56

REPORT AND RESOLUTION FOR THE SALE OF IN REM PARCEL

Sponsored by: Committee on County Properties

WHEREAS, the County took title to a 20' x 50' parcel of real property in the 2014 In Rem Tax Foreclosure process, which is located in the City of Little Falls and has Tax Map No. 115.69-1-3.1; and

WHEREAS, the parcel was offered for sale at the 2016 auction and the amount bid was \$110.00, but there was a default, and the parcel was then put out for sealed bids but it was not purchased at that time; and

WHEREAS, the County has now been approached by US Bank Trust, N.A., as trustee for LSF8 Master Participation Trust, which is in the process of foreclosing on a house which is immediately in front of this parcel, and makes this parcel land locked; and

WHEREAS, the foreclosing bank has offered the sum of \$500.00 for the parcel and has agreed to pay necessary recording costs in connection with that transfer; now, therefore, be it

RESOLVED, that sale of the above described parcel to the above described purchaser on the terms above described, is hereby approved, and the Chairman of this Legislature is hereby authorized to execute all documents necessary for such transfer, with those documents 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, County Property Agent and County Attorney and US Bank Trust, N.A., as trustee for LSF8 Master Participation Trust.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 57

RESOLUTION SUPPORTING LEGISLATION TO PROVIDE PRESUMPTIVE CANCER COVERAGE TO VOLUNTEER FIREFIGHTERS

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, there is presently pending in the New York State Assembly Bill A.711, which would provide a rebuttable presumption under the Volunteer Firefighter Benefits Law that any condition of impairment of health caused by cancer affecting the lymphatic or hematological systems resulting in total or partial disability or death to a volunteer firefighter who has at least five years of service as an interior firefighter and successfully passed a physical examination on entry to the firefighters service and providing a rebuttable presumption that any condition or impairment of health caused by cancer affecting the digestive, urinary, prostate, neurological, breast or reproductive systems or melanoma resulting in total or partial disability or death to a volunteer firefighter who has at least ten years of service as an interior firefighter and successfully passed a physical examination on entry to firefighter service, was incurred in the performance of duty, with the requirement that claims pursuant to the section must be filed within twelve years of separation from active service as a firefighter; and

WHEREAS, the bill also provides the option for a local legislative body of a city or village, town or governing board of a fire district to adopt a local law or a resolution to elect not to provide this presumptive coverage to firefighters and fire companies; and

WHEREAS, the bill has already been passed by the New York State Senate to provide this coverage, which is presently available for career firefighters; now, therefore, be it

RESOLVED, that the County of Herkimer urges Governor Andrew Cuomo and the New York State Assembly to adopt the cancer presumptive bill for firefighters, and be it further,

RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew Cuomo, Senator James L. Seward, Senator James Tedisco, Assemblyman Marc W. Butler, Assemblyman Brian Miller, Assemblyman Anthony Brindisi, New York State Association of Counties and the Inter-County Legislative Committee of the Adirondacks.

Dated: February 15, 2017.



HERKIMER COUNTY LEGISLATURE

No. 58

RESOLUTION APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

Sponsored by: Committee on Natural Resources

WHEREAS, the Counties of Essex, Hamilton, Herkimer, Lewis, St. Lawrence, Washington, Saratoga, Clinton, Franklin, Fulton and Warren have established the Intercounty Legislative Committee of the Adirondacks for the purpose, among other things, of initiating and taking positions on pending legislation affecting the Adirondack area; now, therefore, be it

RESOLVED, that Bernard Peplinski, Sr., Chairman of the Herkimer County Legislature, Vincent J. Bono, Vice-Chairman of the Herkimer County Legislature, Legislator Raymond Smith, Legislator Patrick E. Russell, Legislator Frederick Shaw, Legislator Raymond Johnson, and James W. Wallace, County Administrator, be and hereby are designated as representatives of the County of Herkimer on the Intercounty Legislative Committee of the Adirondacks during the year 2017; and be it further

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

Dated: February 15, 2017.



No. 59

IN MEMORIAM

- WHEREAS, A. Frank Dolan departed this life on Tuesday, January 31, 2017; and
- WHEREAS, A. Frank Dolan served his Country with the United States Army Air Forces during World War II as a flight engineer on B-32s; and
- WHEREAS, A. Frank Dolan was appointed Herkimer County Highway Superintendent in 1957, where he served with integrity and distinction until his retirement in 1985. He was named County Engineer of the Year in 1982 by the National Association of County Engineers;
- WHEREAS, A. Frank Dolan also served as a member of the Village of Ilion Housing Authority, the Ilion Water Board and the Herkimer-Oneida County Solid Waste Authority; and
- WHEREAS, A. Frank Dolan was a devoted husband, father and grandfather, and was a lifelong aviation enthusiast, both as an aircraft owner and pilot and model airplane builder; and
- WHEREAS, The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it
- RESOLVED, That the County Legislature does hereby express its deepest regrets at the decease of A. Frank Dolan and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further
- RESOLVED, That a copy of this Resolution be sent to Betty Dolan and that an additional copy be spread upon the minutes of this meeting.

Dated: February 15, 2017.

Gregory M. Altieri Sr.
 Peter J. Campione
 William E. Keady Sr.
 Robert Schaefer
 [Signature]
 [Signature]
 [Signature]
 Peter F. Mannes

Raymond Smith
 Vincent J. Bond
 J. Z. Boljinski
 Wurt J. Klefmann
 Bernard Replinske Sr.
 [Signature]
 Patrick E. Ruscoe
 Frederick J. Thurgott
 William Wackly