

MINUTES

**Herkimer County Legislature
Second Quarter – Third Day
Wednesday, April 24, 2019
7:00 p.m.**

Public Hearing

The Public Hearing regarding the submission of an application to the CDBG Economic Development Program for Turbo Machined Products, LLC., to the New York State Office of Homes and Community Renewal was called to order by Kurt J. Ackerman, Legislator and Chairman of the County Planning & Development Committee, at 6:26 p.m. Legislator Ackerman asked the Clerk of the Legislature to call the roll of Legislators. The Clerk called the roll, the following answered: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (16). Quorum present. Legislator Ackerman asked the Clerk to read the Notice of Public Hearing. The Clerk read the Notice. Legislator Ackerman asked that any person wishing to speak to rise, state name and address and limit comment to five minutes. With no persons wishing to speak and no persons signed in, the hearing was declared closed at 6:28 p.m.

LEGAL NOTICE

HERKIMER COUNTY
NOTICE OF PUBLIC HEARING

The Herkimer County Legislature will hold a public hearing on Wednesday, April 24, 2019 at 6:25 p.m. in the Legislature Chambers, 109 Mary Street, Herkimer, New York, to review and discuss the submission of a CDBG Economic Development Program application for Turbo Machined Products, LLC, to the New York State Office of Homes and Community Renewal. The CDBG program provides funding to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the CDBG program and will allow for citizen participation in the development of the proposed grant application which is for funding up to \$225,000 to support growth at Turbo Machined Products, LLC. Comments on the CDBG program or proposed project will be received at this time.

The hearing is being conducted pursuant to Section 570.486, Subpart 1 of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The Herkimer County Legislature is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Brittney R. Viscomi, Clerk of the Legislature at 315-867-1108, at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted until April 23, 2019, to:

Brittney R. Viscomi, Clerk
Herkimer County Legislature, Suite 1310
Herkimer, New York 13350

Dated: April 15, 2019.

Public Hearing

The Public Hearing on the Open Enrollment Period for 2019 for Inclusion in Agricultural Districts was called to order at 6:30 p.m. by Peter F. Manno, Legislator and member of the Natural Resources Committee. The Clerk read the Notice. Mr. Manno then asked if there was anyone wishing to speak on the hearing. There were no appearances, and the hearing was declared closed at 6:31 p.m.

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Herkimer County Legislature will hold a Public Hearing on the proposed modifications of existing Herkimer County Agricultural Districts, which are in proposed Consolidated Agricultural District No. 1. The Public Hearing will be held on Wednesday, April 24, 2019 at 6:30 p.m., in the Herkimer County Legislature Chambers in Herkimer, New York.

Eight landowners have submitted requests in 2019 for inclusion of predominantly viable agricultural land within a certified agricultural district, and these requests have been filed with the Herkimer County Legislature pursuant to Section 303-b of the NYS Agriculture and Markets Law. The parcels are located in the Towns of Columbia, Danube, Herkimer, Litchfield, Stark and Winfield, which are all part of or adjacent to proposed Consolidated Agricultural District No. 1.

The public hearing shall be held to consider these landowners' requests and the recommendations of the Herkimer County Agricultural and Farmland Protection Board.

Dated at Herkimer, New York
April 15, 2019.
Brittney R. Viscomi, Clerk
Herkimer County Legislature
Herkimer, New York

Public Hearing

The Public Hearing on Consolidated Agricultural District No. 1 was called to order at 6:35 p.m. by Peter F. Manno, Legislator and member of the Natural Resources Committee. The Clerk read the Notice. Mr. Manno then asked if there was anyone wishing to speak on the hearing. There was one request to speak (Harold L. Philbrook of Jordanville, NY), and the hearing was declared closed at 6:37 p.m.

NOTICE OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Herkimer County Legislature will hold a Public Hearing on the proposed modifications of Herkimer County Agricultural Districts #2 and #3. The Public Hearing will be held on Wednesday, April 24, 2019 at 6:35 p.m., in the Herkimer County Legislature Chambers, 109 Mary Street, Herkimer, New York.

The proposed modifications are the consolidation of existing Agricultural Districts #1, #2, #3, #4 and #6 into a new Consolidated District No. 1. The County Agricultural and Farmland Protection Board has recommended this consolidation, with the new anniversary date for the consolidated district to be January 30, 2027.

Consolidated Agricultural District No. 1 will include properties throughout the county from Russia and Ohio in the north to the Otsego County Line in the south, and to the Oneida County Line to the west and the Montgomery County Line to the East.

Dated at Herkimer, New York
April 15, 2019.
Brittney R. Viscomi, Clerk
Herkimer County Legislature
Herkimer, New York

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 7:00 p.m.

Chairman Peplinski called on Michael Edwards, STOP-DWI Coordinator and former Legislator, 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, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Absent: None.

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 April 3, 2019 or the Special Session of April 12, 2019. There were none, and the Chairman ordered them approved.

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

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. 158 – A communication was received from Herkimer County Soil & Water submitting notice of Monthly meeting. Filed.

No. 159 – A communication was received from Senator James L. Seward submitting letter in regards of Governor’s budget. Filed.

No. 160 – A communication was received from the Herkimer County Sheriff submitting Monthly Report for January 2019. Referred to the Committee on Public Safety & Emergency Management.

No. 161 – A communication was received from the Director of Youth Bureau submitting Annual Report for 2018. Referred to the Committee on County Planning & Development.

No. 162 – A communication was received from the STOP-DWI Coordinator submitting Annual Report for 2018. Referred to the Committee on Public Safety & Emergency Management.

No. 163 – A communication was received from the Commissioner of Social Services submitting Annual Report for 2018. Referred to the Committee on Human Resources.

No. 164 – A communication was received from Chairman Peplinski making changes to appointment of Committee. Filed.

No. 165 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting Annual Report for 2018. Filed.

No. 166 – A communication was received from the County Auditor submitting invoices for extradition expenses. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 167 – A communication was received from the County Highway Superintendent submitting letter regarding drainage issues on Shoemaker Road. Referred to the Committee on Highways.

No. 168 – A communication was received from the Commissioner of Elections submitting letter regarding Machine Technician. Referred to the Committee on Administration/Veterans’ Affairs.

No. 169 – A communication was received from the Director of Weights and Measures requesting Resolution to renew Petroleum Product Quality Program grant in Weights and Measures. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 170 – A communication was received from the Budget Officer/Purchasing Agent requesting Resolution to renew contract with NYS Department of Health for Immunization Action Plan, authorize Chairman to E-sign, and amend 2019 budget in Public Health. Referred to the

Committee on Human Resources and the Committee on Ways & Means.

No. 171 – A communication was received from the Director of Community Services authorizing reimbursement for professional liability insurance in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 172 – A communication was received from the Director of Community Services – Appointing member to Herkimer Community Services Board. Referred to the Committee on Human Resources.

No. 173 – A communication was received from the Director of Community Services requesting Resolution to amend contracts in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 174 – A communication was received from the Commissioners of Elections requesting items to be brought before committees. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 175 – A communication was received from the Commissioners of Elections requesting Resolution establishing a daily wage for Early Voting poll workers. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 176 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer for jail project. Referred to the Committee on Ways & Means.

No. 177 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation for purchase of tractor in Maintenance Department. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 178 – A communication was received from the County Property Agent submitting listing of properties acquired by In Rem procedures. Referred to the Committee on County Properties.

No. 179 – A communication was received from Oneida County Legislature submitting Resolution opposing NYS Senate Bill 2837/ Assembly Bill 2750 of 2019. Referred to the Committee on Administration/Veterans' Affairs.

No. 180 – A communication was received from Senator James L. Seward submitting letter in regards of Governor's budget. Filed.

No. 181 – A communication was received from OGS Dir. of Leasing Services submitting information regarding lease negotiations. Filed.

No. 182 – A communication was received from Sally Deming expressing thanks to Legislature. Filed.

No. 183 – A communication was received from the County Administrator requesting commitment to Herkimer County Community Development Initiative. Filed.

No. 184 – A communication was received from Kids Oneida submitting 2018 Annual Report. Filed.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Legislator Bono, Chairman of the Committee on Public Safety & Emergency Management gave an update on the Herkimer County Jail. Legislator Stephens, Chairman of the Committee on Administration/Veterans' Affairs commented on a resolution sponsored by that Committee and asked for support of the Legislature.

The Chairman proceeded with Report and Resolutions beginning with the consent agenda.

On motion of Mr. Stephens, seconded by Mr. Weakley, Resolution No. 120 – Resolution No. 122 were handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

- 120 CO. PLANNING & DEV.: Adopting Annual Report of Youth Bureau for 2018
- 121 PUB. SAF./EM. MANG.: Adopting Annual Report of STOP-DWI for 2018
- 122 HUM. RESOURCES: Adopting Annual Report of Social Services for 2018

On motion of Mr. Campione, seconded by Mr. Hollum, Report and Resolution No. 123 sponsored by the Committee on Natural Resources to provide that the additions to existing Agricultural Districts for the year 2019 are in compliance with the provisions of SEQRA was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Hollum, seconded by Mr. Schrader, Report and Resolution No. 124 sponsored by the Committee on Natural Resources approving additions to existing Agricultural Districts for 2019 was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 125 sponsored by the Committee on Natural Resources and the Committee on Ways & Means authorizing participation in Petroleum Quality Program was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 126 sponsored by the Committee on Public Safety & Emergency Management and the Committee on

Ways and Means authorizing payment of Extradition Expenses was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 127 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing renewal of contract with NYS Department of Health for Immunization Action Plan and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Bono, seconded by Mr. Ackerman, Report and Resolution No. 128 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing reimbursement for professional liability insurance in Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Bono, seconded by Mr. Shaw, Report and Resolution No. 129 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 267 of 2018 for contracts in Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 130 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means establishing payment amount for Early Voting Election Inspectors was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (15).

Against: Malta (1). Abstain: Manno (1). Absent: None.

On motion of Mr. Bono, seconded by Mr. Hollum, Report and Resolution No. 131 sponsored by the Committee on Ways & Means authorizing transfer of funds in 2019 budget for the new Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: Smith (1). Absent: None.

On motion of Mr. Keeler, seconded by Mr. Stephens, Report and Resolution No. 132 sponsored by the Committee on County Properties and the Committee on Ways & Means approving purchase of tractor and appropriating funds was handed up; voted on and adopted by roll call vote:

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

Against: Smith (1). Absent: None.

On motion of Mr. Bono, seconded by Mr. Schrader, Report and Resolution No. 133 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means supporting Herkimer county Community Development Initiative was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Campione, seconded by Mr. Schrader, Resolution No.134 sponsored by the Committee on Natural Resources reapproving consolidation of Agricultural Districts was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Keeler, seconded by Mr. Ackerman, Resolution No. 135 sponsored by the Committee on County Properties authorizing sale of property acquired by In Rem Procedures was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: None.

On motion of Mr. Stephens, seconded by Mr. Shaw, Resolution No. 136 sponsored by the Committee on Administration/Veterans' Affairs opposing NYS Senate Bill 2837/Assembly Bill 2750 of 2019 was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Resolution No. 137 sponsored by the Committee on Administration/Veterans' Affairs supporting passage of the USMCA was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

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

At 7:18 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, May 15, 2019 at 7:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 120

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on County Planning and Development

WHEREAS, Your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau for the year 2018 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 2018 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 121

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STOP-DWI PROGRAM

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, Your Committee on Public Safety and Emergency Management, to which was referred the Annual Report of the Herkimer County STOP-DWI Program for the year 2018 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 STOP-DWI Program for the year 2018 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 122

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF SOCIAL SERVICES DEPARTMENT

Sponsored by: Committee on Human Resources

WHEREAS, Your Committee on Human Resources, to which was referred the Annual Report for 2018 of the Department of Social Services, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2018 Annual Report of the Department of Social Services be adopted and placed on file with the Herkimer County Legislature for the year 2018.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 123

REPORT AND RESOLUTION TO PROVIDE THAT THE ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS FOR THE YEAR 2019 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW IS IN COMPLIANCE WITH THE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

Sponsored by: Committee on Natural Resources

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA), Article 8 of the NYS Environmental Conservation Law and Part 617 of Title 6, New York Code, Rules and Regulations (6NYCRR) to incorporate the consideration of environmental factors into existing planning, review and decision-making processes of local government agencies; and

WHEREAS, SEQRA requires that all agencies determine whether the actions they directly undertake, fund, or approve may have a significant effect on the environment; and

WHEREAS, the Herkimer County Legislature has under consideration requests from eight landowners pursuant to Resolution 146 of 2004, which established the month of January of each year as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within existing agricultural districts; and

WHEREAS, your Committee has designated the project as an Unlisted Action pursuant to SEQRA and completed an uncoordinated review of the proposed modifications of the agricultural districts; and

WHEREAS, your Committee has fully considered, assessed and discussed the information contained within the Environmental Assessment Form; now, therefore, be it

RESOLVED, that based on the information provided and discussed, the Herkimer County Legislature has determined that the proposed action will not result in any significant adverse environmental impacts; and, be it further

RESOLVED, that the reasons supporting this determination are documented on the Environmental Assessment Form, within a packet of attachments to the forms, and on additional supporting documentation; and, be it further

RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the County, as lead agency, hereby issues a negative declaration and directs that the Chairman of the Legislature file and make available the same in accordance with the requirements of SEQRA Law.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 124

REPORT AND RESOLUTION APPROVING ADDITIONS TO EXISTING AGRICULTURAL DISTRICTS FOR THE YEAR 2019

Sponsored by: Committee on Natural Resources

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for requests by landowners for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, the Herkimer County Legislature has established the month of January as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within existing agricultural districts during the year 2019; and

WHEREAS, Herkimer County received requests from eight landowners for inclusion of 53 parcels of land within an existing agricultural district; and

WHEREAS, the Herkimer County Agricultural & Farmland Protection Board determined that said parcels proposed for inclusion in the agricultural districts consist predominately of

viable agricultural land, and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural districts; and

WHEREAS, the Agricultural & Farmland Protection Board recommended that said parcels listed on the attached list be included in the agricultural districts as viable agricultural land; and

WHEREAS, the Herkimer County Legislature held a public hearing on April 24, 2019; and

WHEREAS, the Herkimer County Legislature has determined pursuant to the State Environmental Quality Review Act, that the proposed action will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Herkimer County Legislature does hereby approve the 53 parcels listed on the attached list for inclusion in agricultural districts as viable agricultural land.

Dated: April 24, 2019.

2019 OPEN ENROLLMENT OPEN ENROLLMENT ADDITIONS TO NYS CONSOLIDATED DISTRICT #1 FOR HEKIMER COUNTY

TAX PARCEL ID#	OWNER	ACRES	MUNICIPALITY	FARM TYPE	COMMENT
130.2-1-17.1	CASLER, JAMES	48.9	WINFIELD		NEW OE 2019
130.2-1-7.2	CASLER, JAMES	52.4	WINFIELD		NEW OE 2019
130.2-1-9.4	CASLER, JAMES	57.7	WINFIELD		NEW OE 2019
130.2-2-8	CASLER, JAMES	46.3	LITCHFIELD		NEW OE 2019
124.4-1-24	CASLER, JANE	79.1	LITCHFIELD		NEW OE 2019
131.3-1-28	COLLINS, STEPHEN R	13.5	COLUMBIA	DAIRY, HAY	NEW OE 2019
118.3-1-25	ENTWISTLE BROS REALTY LLC	99.4	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
118.3-1-53	ENTWISTLE BROS REALTY LLC	81.3	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
118.3-1-60	ENTWISTLE BROS REALTY LLC	61.6	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
118.4-1-47.1	ENTWISTLE BROS REALTY LLC	37.0	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
118.4-1-54.1	ENTWISTLE BROS REALTY LLC	43.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
119.3-1-2	ENTWISTLE BROS REALTY LLC	9.3	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
119.3-1-40	ENTWISTLE BROS REALTY LLC	86.2	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
119.3-2-33	ENTWISTLE BROS REALTY LLC	44.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.1-1-18.3	ENTWISTLE BROS REALTY LLC	40.2	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-1.1	ENTWISTLE BROS REALTY LLC	49.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-11	ENTWISTLE BROS REALTY LLC	0.4	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-12	ENTWISTLE BROS REALTY LLC	125.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-13.1	ENTWISTLE BROS REALTY LLC	79.3	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-15.1	ENTWISTLE BROS REALTY LLC	26.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-15.2	ENTWISTLE BROS REALTY LLC	48.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-20.1	ENTWISTLE BROS REALTY LLC	177.2	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-20.2	ENTWISTLE BROS REALTY LLC	2.4	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-24	ENTWISTLE BROS REALTY LLC	98.4	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-25.4	ENTWISTLE BROS REALTY LLC	5.1	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-27.1	ENTWISTLE BROS REALTY LLC	111.4	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-3.1	ENTWISTLE BROS REALTY LLC	172.3	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-3.7	ENTWISTLE BROS REALTY LLC	1.8	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-55	ENTWISTLE BROS REALTY LLC	13.7	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.2-1-56	ENTWISTLE BROS REALTY LLC	41.9	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.3-2-2.4	ENTWISTLE BROS REALTY LLC	23.8	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.3-2-8.8	ENTWISTLE BROS REALTY LLC	38.4	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
124.4-1-30	ENTWISTLE BROS REALTY LLC	101.1	LITCHFIELD	DAIRY, HAY, CORN	OWNER CHANGE 2019
124.4-1-34	ENTWISTLE BROS REALTY LLC	153.8	LITCHFIELD	DAIRY, HAY, CORN	OWNER CHANGE 2019
125.1-2-3	ENTWISTLE BROS REALTY LLC	183.3	LITCHFIELD	DAIRY, HAY, CORN	OWNER CHANGE 2019
125.3-1-17.1	ENTWISTLE BROS REALTY LLC	75.2	COLUMBIA	DAIRY, HAY, CORN	OWNER CHANGE 2019
125.3-1-21.1	ENTWISTLE BROS REALTY LLC	29.5	COLUMBIA	DAIRY, HAY, CORN	OWNER CHANGE 2019
125.3-2-20.1	ENTWISTLE BROS REALTY LLC	51.5	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
125.3-2-20.2	ENTWISTLE BROS REALTY LLC	4.9	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019

2019 OPEN ENROLLMENT OPEN ENROLLMENT ADDITIONS TO NYS CONSOLIDATED DISTRICT #1 FOR HERKIMER COUNTY

125.3-2-20.3	ENTWISTLE BROS REALTY LLC	19.2	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
125.3-2-20.4	ENTWISTLE BROS REALTY LLC	7.6	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
125.3-2-24	ENTWISTLE BROS REALTY LLC	121.7	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
125.3-2-6	ENTWISTLE BROS REALTY LLC	246.6	LITCHFIELD	DAIRY, HAY, CORN	NEW OE 2019
125.4-1-58.1	ENTWISTLE BROS REALTY LLC	46.2	COLUMBIA	DAIRY, HAY, CORN	NEW OE 2019
130.2-1-14	ENTWISTLE BROS REALTY LLC	8.6	WINFIELD	DAIRY, HAY, CORN	OWNER CHANGE 2019
128.1-2-15.1	ENTWISTLE BROS REALTY LLC	81.0	LITCHFIELD	DAIRY, HAY, CORN	OWNER CHANGE 2019
134.3-1-1.3	FREDERICKS, CHRIS	30.7	DANUBE	DAIRY, HAY, CORN	INADVERTENTLY REMOVED FROM DISTRICT. READDED.
106.3-1-3.1	FREDERICKS, CHRIS	195.2	STARK	DAIRY, HAY, CORN	INADVERTENTLY REMOVED FROM DISTRICT. READDED.
125.1-2-26	JONES, PETER & SUZANNE	119.9	HERKIMER	HAY, SHEEP, GOATS, POULTRY	INADVERTENTLY REMOVED FROM DISTRICT. READDED.
125.2-2-11	MERENA, BRENDA	5.0	LITCHFIELD	HAY, POULTRY, EQUINE	NEW OE 2019
125.2-2-70.3	MERENA, BRENDA	5.9	COLUMBIA	HAY, POULTRY, EQUINE	NEW OE 2019
118.3-1-84	MERENA, BRENDA	40.0	COLUMBIA	HAY, POULTRY, EQUINE	NEW OE 2019
	THE ROOT FARM INC	73.2	LITCHFIELD	MULTIPLE	NEW OE 2019
	TOTAL ACRES	3414.7			



HERKIMER COUNTY LEGISLATURE

No. 125

REPORT AND RESOLUTION AUTHORIZING PARTICIPATION IN PETROLEUM QUALITY PROGRAM

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

WHEREAS, by letter dated April 4, 2019, Bruce Weakley, Director of Weights and Measures, has requested a renewal of the contract with the New York State Department of Agriculture and Markets for continuation of the New York State Petroleum Product Quality Program for an additional five years; and

WHEREAS, the Director of Weights and Measures recommends continuation and renewal of said contract to ensure local petroleum quality and compliance with New York State petroleum standards; and

WHEREAS, participation in said program is at no additional cost to the County and is 100% state reimbursable; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the New York State Department of Agriculture and Markets for continuation of the New York State Petroleum Product Quality Program for an additional five year term through March 31, 2024, at a cost of \$21,560.00, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said program shall continue so long as 100% reimbursement is received from the State of New York; and, be it further

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 126

REPORT AND RESOLUTION AUTHORIZING PAYMENT OF EXTRADITION EXPENSES

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

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

WHEREAS, this Legislature is informed by communication from the County Auditor's office, dated April 8, 2019, that that office is in receipt of invoices and vouchers submitted by the County Sheriff's Office for services in connection with the extradition of a prisoner from Tennessee; and

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

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

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 127

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN AND AMENDING BUDGET

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

WHEREAS, by communication dated April 4, 2019, Christina Cain, Director of Public Health, has advised that the New York State Department of Health has forwarded a contract for

renewal of the grant agreement for the Immunization Action Plan for the period from April 1, 2019 through March 31, 2020, with the contract amount being \$31,307.00; and

WHEREAS, by letter dated April 4, 2019 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2019 Budget in connection with the receipt of the amount of \$31,307.00 under said grant; now, therefore, be it

RESOLVED, that the 2019 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4189A-4489A-PH06-16	From:	\$0
		To:	\$31,307
Expense Account:	A4189A-10000-001 PH06-16	From:	\$0
		To:	\$21,575
	A4189A-41000-PH06-16	From:	\$0
		To:	\$1,300
	A4189A-44000-521-PH06-16	From:	\$0
		To:	\$2,000
	A4189A-46100-PH06-16	From:	\$0
		To:	\$200
	A4189A-81000-PH06-16	From:	\$0
		To:	\$3,116
	A4189A-86000-PH06-16	From:	\$0
		To:	\$3,116

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to e-sign a renewal of the contract between the County of Herkimer and the New York State Department of Health to receive \$31,307.00 in funding for the Immunization Action Plan for the period April 1, 2019 through March 31, 2020; 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: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 128

REPORT AND RESOLUTION AUTHORIZING REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE TO MENTAL HEALTH CONSULTANT

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

WHEREAS, Dr. Vinay Patil is a psychiatrist under contract to provide services to Herkimer County Mental Health Services; and

WHEREAS, by letter dated April 2, 2019, Kristen Snyder-Branner, Director of Community Services, has requested that Dr. Patil be reimbursed for a sum not to exceed \$1,500 annually for professional liability insurance in connection with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and

WHEREAS, your Committees have taken this matter under consideration and recommend said reimbursement; now, therefore, be it

RESOLVED, that Dr. Vinay Patil, be and he hereby is, authorized to receive reimbursement, upon receipt of proper documentation for a sum not to exceed \$1,500 annually for professional liability insurance associated with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and, be it further

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 129

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 267 OF 2018 FOR CONTRACTS IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

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

WHEREAS, by Resolution No. 267 dated September 12, 2018, this Legislature approved contracts for the years 2018 and 2019 with various agencies to provide a variety of mental health services for county residents; and

WHEREAS, by letter dated March 25, 2019 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend certain 2018-19 contracts to increase the amount with various agencies, as the agencies are receiving additional funding through State Aid; and

WHEREAS, said contracts shall be supported at the 100% state aid level; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts for the year 2019 with the following agencies to provide services to Herkimer County Mental Health Services:

1. Upstate Cerebral Palsy Association
1020 Mary Street
Utica, NY 13501
For a contract sum of \$545,959
2. Herkimer ARC
333 South Main Street
Herkimer, NY 13350
For a contract sum of \$270,000
3. Catholic Charities
61 West Street
Ilion, NY 13357
For a contract sum of \$507,000
4. The Neighborhood Center
624 Elizabeth Street
Utica, NY 13501
For a contract sum of \$153,317

and, be it further

RESOLVED, that said above contracts shall be for the period of January, 2018 through December 31, 2019 so long as state funds for said purposes are available; and, be it further

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 130

REPORT AND RESOLUTION ESTABLISHING PAYMENT AMOUNT FOR ELECTION INSPECTORS FOR EARLY VOTING

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

WHEREAS, by letter dated April 15, 2019, Kim S. Tranter and Anthony C. Fumarola, Commissioners of Elections, have requested the establishment of payment amount to Election Inspectors for the Early Voting time period; and

WHEREAS, your Committees have considered said request and recommend the establishment of the requested payment at the amount recommended; now, therefore, be it

RESOLVED, that the following payment amount is hereby established for the Election Inspectors as listed for the Early Voting time period commencing October 26, 2019 and for every election going forward:

Election Inspectors for Early Voting \$75 per day

and, be it further

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 131

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN 2019 BUDGET FOR THE NEW CORRECTIONAL FACILITY

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated April 2, 2019, 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 accounts in the 2019 Budget:

TRANSFER:

\$50,000 From: H3150.44000, New Jail, Contracted Services, Project 5-4
 To: H3150.25000, New Jail, Other Equipment, Project 5-4

and, be it further

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 132

REPORT AND RESOLUTION APPROVING PURCHASE OF TRACTOR AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated April 2, 2019, the Herkimer County Budget Officer has requested the Herkimer County Maintenance Department purchase a used 2004 New Holland TC30 with mowing deck and snow blower from the Herkimer County Sewer District and advised an appropriation is needed to cover the purchase; and

WHEREAS, the Budget Officer, further advises that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation within the 2019 budget be made as follows:

Appropriation:

\$8,000.00 From: A889N, Reserve, Co. Building Improvements
To: H1620.25000, Project 16-1, Buildings, Other Equipment

and, be it further

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

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 133

REPORT AND RESOLUTION SUPPORTING HERKIMER COUNTY COMMUNITY DEVELOPMENT INITIATIVE

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

WHEREAS, members of the Legislature, Villages, the City of Little Falls, and Town Supervisors have been working with the Community Foundation of Herkimer and Oneida Counties to advance a County Wide Community Development Plan to provide a cohesive, data driven strategy identifying opportunities to enrich and enhance economic growth and community prosperity; and

WHEREAS, the goal of the plan is to overcome municipal and geographic fragmentation by building a strategy and pragmatic action plan to address county wide problems; and

WHEREAS, under this initiative a Request for Proposals (RFP) will be sent out for development of a plan to address economic and agribusiness development, tourism, collaboration and connectivity to bridge the gap between municipal boundaries, building on our County's strengths as a livable, workable, and commutable region; and

WHEREAS, the proposal calls for Herkimer County to commit to 40% of the cost of the RFP, up to a maximum of \$100,000; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby expresses support for the above initiative and the commitment of the funds as above described; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Community Foundation, and the Town Supervisors, City of Little Falls Mayor, and Village Mayors in Herkimer County.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 134

RESOLUTION REAPPROVING CONSOLIDATION OF AGRICULTURAL DISTRICTS IN HERKIMER COUNTY

Sponsored by: Committee on Natural Resources

WHEREAS, Pursuant to the authority granted by Article 25 of the Agriculture and Markets Law, the Legislature established Agricultural Districts #1, #2, #3, #4, and #6; and

WHEREAS, Agricultural Districts #2 and #3 are currently undergoing review pursuant to the procedure established in the Agriculture and Markets Law; and

WHEREAS, the Agriculture and Market Law allows the consolidation of existing Agricultural Districts with an existing district undergoing review; and

WHEREAS, the Herkimer County Agricultural and Farmland Protection Board has prepared a report regarding the proposed consolidation and has recommended that all agricultural districts in Herkimer County be consolidated into a consolidated Agricultural District No. 1; and

WHEREAS, the Natural Resources committee has conducted a public hearing on the said proposal, and all parties attending said hearing having been given the opportunity to be heard; now, therefore be it

RESOLVED, that there is hereby established consolidated Agricultural District No. 1 for the County of Herkimer, and all existing agricultural districts in Herkimer County are hereby consolidated into the said consolidated Agricultural District No. 1, with the new anniversary date for the new consolidated district to be January 30, 2027; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Attorney, Farmland Protection Board, NYS Department of Ag and Markets, and Herkimer Oneida Counties Comprehensive Planning.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 135

RESOLUTION AUTHORIZING SALE OF PROPERTY ACQUIRED BY IN REM PROCEDURES

Sponsored by: Committee on County Properties

WHEREAS, in an action brought on to enforce collection of delinquent taxes for the tax year 2017, a Judgment was made by the County Court of the County of Herkimer on the 9th day of April, 2019 and was filed and entered in the Herkimer County Clerk's Office on April 11, 2019, pursuant to which properties listed therein became the property of the County; and

WHEREAS, pursuant to said Judgment, the County Treasurer of the County of Herkimer deeded all parcels listed in said Judgment to the County of Herkimer by deed dated April 11, 2019 and recorded on April 11, 2019, in the Herkimer County Clerk's Office as Instrument No. RP-2019-1487; and

WHEREAS, the County owns other parcels obtained in previous In Rem tax foreclosure actions, which properties did not sell at prior auctions; and

WHEREAS, the court has retained jurisdiction over several parcels included in the foreclosure which parcels are the subject of further court proceedings, which proceedings may

result in title to some of such parcels being conveyed to the County of Herkimer prior to the date of this year's land auction; and

WHEREAS, the County now desires to sell the parcels conveyed to the County in the aforesaid deed as well as any parcels from prior foreclosures which may also need to be sold and any parcels which may be conveyed to the county prior to this year's land auction; and

WHEREAS, it is necessary that terms and conditions of sale of said properties by the County be established; now, therefore, be it

RESOLVED:

1. That pursuant to Section 1166 of the Real Property Tax Law this Legislature now desires to provide for the sale of said parcels. Such sale shall be by public auction, and it is directed that such sale be held on Saturday, June 1, 2019 at 11:00 a.m. in the Auditorium at Herkimer High School;
2. That this sale by auction be held under the direction of the County Treasurer;
3. That such sale shall be conducted on the terms, conditions and procedures annexed hereto which include an Administration fee of \$200 for each successful bid;
4. That in addition, all sales of such property shall be subject to a buyer's premium of ten percent (10%) of the amount of the successful bid;
5. That all persons be entitled to bid at such sale on said parcels of property, except those persons prohibited by the attached Auction Terms and Conditions or by state or local law.
6. That the Treasurer is hereby authorized, when it seems advantageous, to divide any parcel on the auction list into two or more parcels and to offer said divided parcels individually or to join any two or more parcels on the auction list into one parcel and to offer said joined parcels as one parcel;
7. That following the auction sale, the Committee on County Properties and the County Treasurer report to this Legislature with their recommendations for the conveyance of the various parcels of property to the successful bidders thereon;
8. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent and County Attorney.

Dated: April 24, 2019.

AUCTION TERMS AND PROCEDURES

1. Registration: Individuals interested in bidding must register and be assigned a bidder's number, which you will use when bidding on property. Registration will take place the day of the Auction. A record of all successful bids will be maintained, with each successful bidder's number assigned to the property bid accordingly.

2. Eligible Bidders: All persons, including, but not limited to, corporations, partnerships, limited liability companies and limited liability partnerships are entitled to bid at such sale on said parcels of property

EXCEPT:

1. officers and employees of the County of Herkimer, including any legal entity in which the officer or employee of the County of Herkimer has an interest;
2. persons who have defaulted on any bid to purchase property from the County of Herkimer within the last five (5) years;
3. persons who have defaulted in payment of real property taxes on a parcel of property within Herkimer County which resulted in a judgment granting title to such parcel of property to the County of Herkimer within the last five (5) years or the spouse of such person;
4. persons or family members of persons who are owners of an unredeemed parcel included in the 2017 Tax Foreclosure;
5. the person or a family member of the person whose name appears on the Assessment Roll as the owner of each said parcel at the time of nonpayment of taxes which resulted in acquisition of such parcel by the County;
6. town officers, including town board members and assessors, with respect to property located within the town they serve;
7. legal entities, including but not limited to, corporations, partnerships, limited liability companies, and limited liability partnerships, in which any of the foregoing persons or legal entities has an interest.

3. Purchase Agreement: A successful bidder will be required to sign a purchase agreement when a deposit is made. Also, at this time, the successful bidder will be required to list the Name, Address and Social Security Number of the individual(s) or legal entity purchasing the property. All purchase agreements will include a certification that the purchaser is not prohibited from bidding by reason of the exclusions set forth in Paragraph 2 above.

Auction Terms and Procedures (cont'd)

4. Prospective Bidders: All prospective bidders are invited to inspect the premises they are interested in prior to the Auction. Inspections are only done on improved properties that are unoccupied. Information regarding property inspections will be available in the auction brochure or by contacting Michael Knapp at (315) 939-0770 or auctionsbyknapp@gmail.com.

5. Conditions of Sale: Each of the parcels is sold "as is". If a parcel is occupied, it is the responsibility of the purchaser to terminate the occupancy. The County has not entered into any lease agreement, nor has it consented to any occupancy, nor has it received any rent from any occupant of any parcel. Purchaser will obtain ownership of the property when the deed is recorded in the County Clerk's Office and shall not take possession until such time. The County of Herkimer and its officials and agents make no representation as to the condition of any parcel of said property or of the improvements on any improved parcel. Lot sizes, including frontage, depth and acreage, are for assessment purposes only. The County makes no representations regarding the actual dimensions or acreage of the parcels.

For parcels improved by a mobile home or manufactured home, the County of Herkimer is conveying ONLY the interest of the County in the real property and makes no representations or warranties with regard to title to such mobile home or manufactured home.

The County will not be responsible for any defects or conditions whatsoever in or on the property or in any improvements, or any equipment, mechanical or otherwise, included therein.

All deeds will be subject to the following condition, and covenant: This conveyance is made pursuant to a resolution of the Herkimer County Legislature and this conveyance is made subject to the condition and covenant that the County of Herkimer shall in no event be or become liable for any defects in title conveyed hereby, for any cause whatsoever, and that no claim, demand or suit of any nature shall ever be made by the party of the second part hereto, or by said party's heirs, successors and assigns against said County of Herkimer arising from such sale or this conveyance.

All properties subject to Federal Tax Liens are sold subject to the right of redemption of the United States of America.

6. Administration Fee: An administration fee will be added to each successful bid. The administration fee will be \$200.00 for each successful bid.

7. Buyer's Premium: In addition to the administration fee, a buyer's premium of 10% of the amount of the successful bid will be added to the purchase price of each successful bid.

8. Required Bid Deposit: A \$50.00 or 10% deposit (cash or check) whichever is greater, is required at the time of the Auction on each property for which you are the successful bidder. Successful bids of \$50.00 or less must be paid in full. Deed recording fees are also required to be paid at this time for bids of \$50.00 or less. If you are the successful bidder of more than one

Auction Terms and Procedures (cont'd)

parcel, a single check will be accepted to cover all deposit requirements. Make checks payable to **Kimberlee A. Enea, Herkimer County Treasurer.**

9. Full Payment of Bids: The balance of the purchase price on any property, together with Cover Sheet (\$5.00), Deed Recording Fees (\$45.00/deed), Transfer Gains Affidavit Filing Fee (\$5.00), and Real Property Transfer Report Fee (\$125.00 for residential or farm property and \$250.00 for all other property) must be made to the Herkimer County Treasurer, **WITH CASH, MONEY ORDER OR CASHIERS CHECK, no later than 4:00 pm, June 21, 2019.**

10. Deed Recordings: All deeds are Quit Claim Deeds, conveying the interest that the County of Herkimer has in the property to the successful bidder. The County Property Agent will record all deeds as soon as possible, once final approval has been received by the County Legislature. You will receive your deed(s) by mail, through the County Clerk's Office. Any changes in the deed will be the responsibility of the purchaser after the deed is recorded.

11. Tax Information: Total annual taxes are listed under each parcel. Delinquent taxes were absorbed and paid by the County. Purchasers will be responsible for current 2019-2020 City, Village, School and future taxes.

12. Default by Purchaser: Default by the Purchaser or failure to meet the terms and procedures of this Auction will result in **forfeiture of the required deposit.**

13. Confirmation and Approval of Sales: All sales are subject to confirmation by the County Properties Committee and final approval of the Herkimer County Legislature.

14. THE COUNTY OF HERKIMER RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.



HERKIMER COUNTY LEGISLATURE

No. 136

RESOLUTION OPPOSING NEW YORK STATE SENATE BILL 2837/ASSEMBLY BILL 2750 OF 2019

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, Senator Jessica Ramos and Assemblywoman Catherine Nolan, have introduced Senate Bill 2837 and Assembly Bill 2750 which would, among other things, provide for collective bargaining rights of farm workers and require overtime pay; and

WHEREAS, a labor strike on a farm could destroy an entire crop, and/or ruin perishable food; and

WHEREAS, according to Farm Credit East, overtime combined with the rising minimum wage would raise labor costs on NY farms by nearly \$300 million and reduce net farm income 23.4%; and

WHEREAS, Family Farming is already on the decline, and making the same less profitable is a further disincentive to continue family farming operations; and

WHEREAS, farming is a crucial part of New York's, and in particular Herkimer County's economy and the effect of increasing agricultural costs on New York farms will be to drive New York farm families out of business; now, therefore be it

RESOLVED, that the Herkimer County Legislature opposes New York Senate Bill 2837/Assembly Bill 2750 and hereby requests that Governor Cuomo and the State Legislature take steps to oppose such legislation; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, New York State Association of Counties, and the InterCounty Legislative Committee of the Adirondacks.

Dated: April 24, 2019.



HERKIMER COUNTY LEGISLATURE

No. 137

RESOLUTION SUPPORTING PASSAGE OF THE U.S.-MEXICO-CANADA AGREEMENT (USMCA)

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, in 2018, U.S. Trade Representatives negotiated a new trade agreement to rebalance and modernize the North American Free Trade Agreement (NAFTA) that took effect in 1994; and

WHEREAS, while NAFTA was a well-intended attempt to create a "free trade zone" for the U.S., Mexico and Canada, many of its provisions harmed U.S. labor and wages to the benefit of lesser economies, particularly Mexico; and

WHEREAS, the USMCA includes provisions to address some of the inequities that resulted from NAFTA, including intellectual protection for U.S. companies, tariff protections

and increased market access for farmers and better enforceable labor standards for workers in other countries; and

WHEREAS, rebalancing the terms and conditions originally contained in NAFTA is in the best interest of residents and businesses of New York and the United States in general; now, therefore be it

RESOLVED, that the Herkimer County Legislature hereby supports passage of the U.S.-Mexico-Canada Agreement and urges its representatives in Congress to pursue swift ratification; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Elise Stefanik, Congressman Anthony Brindisi, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, New York State Association of Counties, and the InterCounty Legislative Committee of the Adirondacks.

Dated: April 24, 2019.