

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Second Day**  
**Wednesday, January 29, 2014**  
**7:30 p.m.**

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

Chairman Bono called on Edgar Scudder, Director of Community Services, to lead the Legislature in the Pledge of Allegiance.

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

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

Present: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Korce, Russell, Shaw, Weakley (15).

Absent: Rose, Peplinski (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of January 6, 2014. There were none, and the Chairman ordered them approved.

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

Chairman Bono 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. 5 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting the adopted 2014 budget. Placed on file.

No. 6 – A communication was received from Cornell Cooperative Extension submitting the 2013 Annual Report. Ordered file.

No. 7 – A communication was received from the Personnel Officer submitting the 2013 Annual Report of the former Self Insured Workers' Compensation Plan. Referred to the Committee on Ways and Means.

No. 8 – A communication was received from the Personnel Officer Submitting the 2013 Annual Report of the Stand Alone Workers' Compensation Plan. Referred to the Committee on Ways and Means.

No. 9 – A communication was received from the Soil and Water Conservation District submitting minutes of September 10, 2013. Placed on file.

No. 10 – A communication was received from the Oneida-Herkimer Solid Waste Authority recommending reappointment of Vincent J. Bono. Referred to the Committee on County Planning and Development.

No. 11 – A communication was received from the Commissioner of Social Services submitting request from Mary Sullivan for extension of leave of absence. Referred to the Committee on Ways and Means and the Committee on Human Resources.

No. 12 – A communication was received from the Budget Officer submitting recommendation for award of bid for chemical for Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 13 – A communication was received from the Commissioner of Social Services requesting contracts with agencies under the Temporary Assistance to Needy Families. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 14 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Human Resources.

No. 15 – A communication was received from the Personnel Officer submitting report of fees received for civil service exams for 2013. Referred to the Committee on Ways and Means.

No. 16 – A communication was received from the Director of Community Services submitting annual report for 2013. Referred to the Committee on Human Resources.

No. 17 – A communication was received from the Director of Emergency Services requesting an extension of a Homeland Security Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 18 – A communication was received from the Capital District OTB submitting financial reports for October and November 2013. Placed on file.

No. 19 – A communication was received from the Sheriff submitting the monthly report for November. Referred to the Committee on Public Safety/Emergency Management.

No. 20 – A communication was received from the Clerk of the Legislature appointing Sally Deming as Deputy Clerk of the Legislature. Placed on file.

No. 21 – A communication was received from the County Attorney advising of appointment of assistant county attorneys and designation of succession. Placed on file.

No. 22 – A communication was received from the Director of Public Health requesting staffing change under the Healthy Families Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 23 – A communication was received from the Commissioner of Social Services requesting contract with dietician for Country Manor. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 24 – A communication was received from the Director of Public Health requesting a staffing adjustment. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 25 – A communication was received from the Director of Public Health requesting appointments to Health Services Advisory Board. Referred to the Committee on Human Resources

No. 26 – A communication was received from the Director of Public Health requesting appointments to Professional Services Advisory Board. Referred to the Committee on Human Resources.

No. 27 – A communication was received from the Personnel Officer requesting agreement for Employee Assistance Program. Referred to the Committee on Ways and Means.

No. 28 – A communication was received from the Director of Community Services requesting staffing change in Mental Health Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 29 – A communication was received from the STOP-DWI Coordinator requesting acceptance of a grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 30 – A communication was received from the Budget Officer submitting budget amendment in connection with STOP-DWI grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 31 – A communication was received from the Sheriff requesting amendment of Court Security Contract. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 32 – A communication was received from the Employment & Training Director requesting additional office space permit agreement with Bassett Medical Center. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 33 – A communication was received from the Herkimer County Sewer District submitting resolution for approval by the Legislature. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 34 – A communication was received from the County Highway Superintendent requesting approval of Municipal Snow and Ice Agreement with State. Referred to the Committee on Highways.

No. 35 – A communication was received from the Sheriff requesting agreement for security services at Central New York Psychiatric Center. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 36 – A communication was received from the Sewer District submitting resolutions for approval of the Legislature. Referred to the Committee on Natural Resources and Committee on Ways and Means.

No. 37 – A communication was received from the Director of the Office for the Aging requesting acceptance of funding and contract under Medicare Improvements for Patients and Providers Act (MIPPA). Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 38 – A communication was received from the Budget Officer submitting budget amendment in connection with MIPPA/ADRC program funding. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 39 – A communication was received from the Budget Officer submitting budget amendment in connection with County Road Fund for snow removal. Referred to the Committee on Ways and Means.

No. 40 – A communication was received from the Village of Ilion advising of designation of Charles Lester as representative on the Sewer Board. Referred to the Committee on Natural Resources and Committee on Ways and Means.

No. 41 – A communication was received from the Director of Probation requesting approval for a student intern from HCCC. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 42 – A communication was received from the Director of Community Services requesting contracts with agencies for provision of mental health and alcohol/substance abuse services. Referred to the Committees on Human Resources and Ways and Means.

No. 43 – A communication was received from the E & T Director requesting extension of temporary position. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 44 – A communication was received from the Director of Emergency Services requesting agreement with consultant in connection with All Hazards Mitigation Plan. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 45 – A communication was received from the Budget Officer submitting recommendation for award of bids for highway equipment. Referred to the Committee on Highways.

No. 46 – A communication was received from the Sheriff requesting renewal of agreement with Black Creek Integrated Systems. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 47 – A communication was received from Marianne Lasowski-Stalteri concerning animal safety. Referred to the Committee on Natural Resources.

No. 48 – A communication was received from ProAct, Inc. submitting the discount prescription card report for December 2013. Placed on file.

No. 49 – A communication was received from Assemblyman Brindisi requesting support for legislation to establish a Career and Technical Diploma. Referred to the Committee on Administration and Veterans' Affairs.

No. 50 – A communication was received from the Commissioner of Social Services requesting establishment of payment standard for supportive services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 51 – A communication was received from the Director of Probation requesting agreement for polygraph testing. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

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

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

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

**Consent Agenda:**

- 9 PUB.SFTY/EMER. MGMT.: Monthly Report of Sheriff
- 10 HUMAN RES. Annual Report of Mental Health Services
- 11 WAYS & MEANS: Annual Report of Personnel Office
- 12 CO. PLANNING & DEV.: Reappointment to Solid Waste Authority
- 13 WAYS & MEANS: Annual Report of Self-Insurance Plan
- 14 WAYS & MEANS: Annual Report of Stand Alone Workers' Comp. Plan
- 15 NAT. RESOURCES: Appointing Representatives to Intercounty  
Legislative Committee of the Adirondacks
- 16 WAYS & MEANS: Transferring funds
- 17 NAT. RESOURCES: Designating Member to Sewer Board
- 18 HUMAN RES.: Concerning membership on Health Services Advisory Board
- 19 HUMAN RES.: Concerning membership on Professional Services Advisory Bd.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 20 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means extending contract for Homeland Security Grant for the Office of Emergency Services was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Brezinski, Report and Resolution No. 21 of the Committees on Natural Resources and Ways and Means awarding bid for chemical at Herkimer County Sewer District was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 22 of the Committees on Human Resources and Ways and Means authorizing contracts in connection with flexible funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families – TANF) in the Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Weakley, seconded by Mr. Russell, Report and Resolution No. 23 of the Committee on Highways amending 2013 amending budget in connection with State Snow Expense was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 24 of the Committee on Human Resources and the Committee Ways and Means authorizing contract renewal for Office for Aging for MIPPA/ADRC funding and amending 2013 Herkimer County Budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Russell, seconded by Mr. Luppino, Report and Resolution No. 25 of the Committee on Ways and Means and the Committee on Human Resources for staffing change in the Herkimer County Mental Health Services was handed up; was voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 26 of the Committee on County Planning and Development and the Committee on Ways and Means amending Resolution No. 276 of 2013 authorizing temporary staffing change in Employment and Training Administration was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 27 of the Committee on Human Resources and the Committee Ways and Means authorizing staffing changes in Public Health Nursing Services in connection with Healthy Families Program was handed up; was voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 28 of the Committee on Human Resources and the Committee on Ways and Means authorizing agreement for services of dietician at Country Manor was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None. Absent: Rose, Peplinski (2).

On motion of Mr. Smith, seconded by Mr. Ackerman, Report and Resolution No. 29 of the Committees on Ways and Means and Human Resources was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None. Absent: Rose, Peplinski (2).

On motion of Mr. Stephens, seconded by Mr. Russell, Report and Resolution No. 30 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means regarding agreement for security for inmates at Central New York Psychiatric Center was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None. Absent: Rose, Peplinski (2).

On motion of Mr. Smith, seconded by Mr. Luppino, Report and Resolution No. 31 of the Committees on Human Resources and Ways and Means establishing payment standard to non-profit agency providing certain supportive services to Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None. Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 32 of the Committees on Human Resources and Ways and Means authorizing contracts for Herkimer County Mental Health Services was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None. Absent: Rose, Peplinski (2).

On motion of Mr. Hyde, seconded by Mr. Stephens, Report and Resolution No. 33 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means



authorizing contract for All Hazards Mitigation Plan Consultant was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Luppino, seconded by Mr. Hyde, Report and Resolution No. 34 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing contract for polygraph services in Probation Department was handed up; voted on and adopted by voice:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Stephens and Mr. Brezinski, Report and Resolution No. 35 of the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District Resolution in connection with litigation was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 36 of the Committee on Ways and Means authorizing an agreement with the Center for Family Life and Recovery, Inc. for employee assistance program was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 37 of the Committee on Highways extending agreement for Snow and Ice Control with State of New York was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 38 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing additional Office Space Permit Agreement with the Mary Imogene Bassett Hospital

d/b/a Bassett Medical Center at the Working Solutions Career Center was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Hyde, seconded by Mr. Luppino, Report and Resolution No. 39 of the Committee on Public Safety/Emergency Management approving amendment to Court Security Contract was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Stephens, seconded by Mr. Hyde, Report and Resolution No. 40 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means accepting grant and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 41 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing student internship at Probation Department and other county departments was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 42 of the Committee on Highways awarding bid for purchase of equipment for Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Smith, seconded by Mr. Hyde, Report and Resolution No. 43 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing renewal of agreement for Sallyport Inmate Management System at Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Russell, seconded by Mr. Korce, Report and Resolution No. 44 of the Committee on Ways and Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: Hyde (1).

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Luppino, Resolution No. 45 of the Committee on Natural Resources authorizing the Chairman of the Legislature to sign and establish a dog quarantine for 2014 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Resolution No. 46 of the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means requesting authority to extend the imposition of a mortgage recording tax was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Shaw, seconded by Mr. Stephens, Resolution No. 47 of the Committee on Natural Resources calling for a public hearing in consideration of the expenditure toward the cost of the replacement of equipment within the Herkimer County Sewer District in and for the County of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Resolution No. 48 of the Committee on Ways and Means determining officers and employees of Herkimer County required to file financial disclosure forms was handed up; voted on adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Hyde, seconded by Mr. Shaw, Resolution No. 49 of the Committee on Administration/Veterans' Affairs supporting public hearing by the New York State Department of Environmental Conservation on request by the Mohawk Valley Water Authority to draw additional water from the West Canada Creek was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

On motion of Mr. Wellington, seconded by Mr. Hyde, Resolution No. 50 of the Committee on Administration/Veterans' Affairs supporting legislation sponsored by Assemblyman Brindisi for the State Assembly to create a career and technical education diploma for high school students was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Rose, Peplinski (2).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislator had further comments: Robert Hyde.

On 7:50 p.m. on motion of Mr. Manno, seconded by Mr. Hyde, the Legislature adjourned to Wednesday, February 26, 2014 at 7:30 p.m.

No. 9

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT APPROVING MONTHLY REPORT OF SHERIFF**

WHEREAS, your Public Safety & Emergency Management Committee, to which was referred the report of the Sheriff for the month of November, 2013, respectfully reports that we have examined said report, recommend that it be approved and offer the following Resolution:

RESOLVED, that the report of the Herkimer County Sheriff for the month of November, 2013, which report reflects an average daily population of 91.34 inmates, with an average of 61.07 inmates being boarded out in November, be approved and filed.

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety and  
Emergency Management**

No. 10

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES  
ADOPTING ANNUAL REPORT OF HERKIMER COUNTY MENTAL HEALTH  
SERVICES**

Your Committee on Human Resources, to which was referred the 2013 Local Plan Update of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2013 Local Plan Update of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2013.

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
ADOPTING ANNUAL REPORT OF FEES RECEIVED BY THE HERKIMER  
COUNTY PERSONNEL OFFICE**

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 2013, 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 2013 Department be approved and placed on file with the Herkimer County Legislature for the year 2013.

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT RELATIVE TO REAPPOINTMENT OF MEMBER OF THE ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY**

**Sponsored by: Committee on County Planning & Development**

WHEREAS, the term of Vincent J. Bono to the Oneida-Herkimer Solid Waste Management Authority appointed pursuant to Resolution No. 83 of 2013 expired on December 31, 2013; and

WHEREAS, by letter dated November 21, 2013, the Executive Director of the Oneida-Herkimer Solid Waste Authority has requested that Vincent J. Bono be reappointed for a five year term commencing January 1, 2014; now, therefore, be it

RESOLVED, that Vincent J. Bono, 141 Millers Grove Rd., Frankfort, New York, be and he hereby is, reappointed for a five year term commencing January 1, 2014 as representative of Herkimer County on the Oneida-Herkimer Solid Waste Management Authority; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, the Oneida- Herkimer Solid Waste Authority and Vincent J. Bono.

Dated: January 29, 2014.



**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF  
INSURANCE PLAN**

Your Committee on Ways and Means, to which was referred the Annual Report of the former Herkimer County Self Insurance Plan for the year 2013, 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 2013 be adopted and printed in the Proceedings and filed with the Herkimer County Legislature for the year 2013.

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

No. 14

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE  
WORKERS' COMPENSATION PLAN**

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 2013, 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 2013 be adopted and filed with the Herkimer County Legislature for the year 2013.

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT ACKERMAN  
**Committee on Ways and Means**

**RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS FOR 2014**

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 Vincent J. Bono, Chairman of the Herkimer County Legislature, Bernard Peplinski, Vice-Chairman of the Herkimer County Legislature, Patrick E. Russell, County Legislator and Adirondack representative, Raymond Smith, County Legislator, and James W. Wallace, Jr., 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 2012; 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: January 29, 2014.

FREDERICK J. SHAW, JR.  
ROBERT N. HYDE  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
ROBERT J. SCHRADER  
BOB WELLINGTON  
**Committee on Natural Resources**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS  
TRANSFERRING FUNDS IN THE 2013 BUDGET**

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated January 17, 2014 submitting a request for transfers of funds in the 2013 Budget, reports that we have examined said communication, inquired into the subject matter thereof 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 2013 Budget:

\$2,000.00	<i>From:</i> A1420.10000-001, County Attorney, Salaries <i>To:</i> A1362.46000, Tax, Advertising & Exp., Misc. Expenses
\$3,000.00	<i>From:</i> A1680.10100, Information Services, Temporary Employees <i>To:</i> A1362.46000, Tax, Advertising & Exp., Misc. Expenses
\$2,000.00	<i>From:</i> A3140.10000-003, Probation, In-Lieu of Insurance <i>To:</i> A1325.44000, County Treasurer, Contractual Services
\$4,000.00	<i>From:</i> A1410.10100, County Clerk, Temporary Employees <i>To:</i> A1325.44000, County Treasurer, Contracted Services
\$354.27	<i>From:</i> A1410.10100, County Clerk, Temporary Employees <i>To:</i> A8026.46100, Adirondack Park Review Board, Mileage & Travel
\$20,000.00	<i>From:</i> A2960.44000, Ed. of Handicapped Children, Contractual Services <i>To:</i> A2490.44000, Community College, Contractual Services.

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

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways & Means**

**REPORT AND RESOLUTION OF THE COMMITTEES ON NATURAL RESOURCES  
DESIGNATING MEMBERS TO THE HERKIMER COUNTY SEWER BOARD**

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 100 for the year 1986, determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board, and appointed the Chief Executive, or their designees, of the Villages of Ilion, Frankfort and Mohawk and the Towns of Frankfort and German Flatts, as members of the said Board; and

WHEREAS, by letter dated January 8, 2014, this Legislature is advised by the Village of Ilion that John Stephens has resigned as representative of the Village on the Herkimer County Sewer District Board and the Village Board has appointed Trustee Charles T. Lester to serve the unexpired term; now, therefore, be it

RESOLVED, that Charles T. Lester, 110 Barringer Road, Ilion, New York, is hereby appointed to the Herkimer County Sewer District Board, representing the Village of Ilion, to fill the unexpired term on said Board, said term to expire February 28, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Herkimer County Sewer District, Village of Ilion and Charles T. Lester.

Dated: January 29, 2014.

FREDERICK J. SHAW, JR.  
ROBERT N. HYDE  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
ROBERT J. SCHRADER  
BOB WELLINGTON  
**Committee on Natural Resources**

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

WHEREAS, by letter dated December 16, 2013, Christina Cain, Director of Public Health, has submitted a recommendation for appointments to the Health Services Advisory Board of the Herkimer County Public Health Nursing Service; now, therefore, be it

RESOLVED, that the following individuals are hereby are appointed to serve as members of the Health Services Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2016: Christine Barnes, LPN; Christina Cain, Director of Public Health; Helene Cecconi, SCHN; Vicky DeLong, RN; Sue DeNinno, SCHN, Melissa Glova, CHN; Lisa Gifford, HARC; Debra Lynch, RN, HCCC; Mary Siniscaro, CHN, Donald Van Patten, Director, Herkimer District Office, NYSDOH; Diane Ward, CHN, Cathy Wintle, FNP, Planned Parenthood and Richard Wroblewski; and, be it further

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

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES  
CONCERNING MEMBERSHIP ON PROFESSIONAL ADVISORY BOARD OF  
HERKIMER COUNTY PUBLIC HEALTH NURSING SERVICE**

WHEREAS, by letters dated December 16, 2013 and January 8, 2014, Christina Cain, Director of Public Health, has submitted a recommendation for appointments to the Professional Advisory Board of the Herkimer County Public Health Nursing Service; now, therefore, be it

RESOLVED, that the following individuals are hereby are appointed to serve as members of the Professional Advisory Board of the Herkimer County Public Health Nursing Service for three year terms to expire December 31, 2016: Vincent J. Bono, Chairman, Herkimer County Legislature; Kathy Fox, Director, Office for the Aging; Frederick Shaw, Herkimer County Legislator; Adam Hutchinson, Herkimer County HealthNet; Wendy Iamele, Healthy Families; William Lennox, RPH; Richard Nocella, DO; Ronald Simons, Little Falls Hospital; Raymond Smith, Herkimer County Legislator; James Wallace, Jr., County Administrator; and Crystal Wilkins, RD; and, be it further

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

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS EXTENDING CONTRACT FOR HOMELAND SECURITY GRANT FOR THE OFFICE OF EMERGENCY SERVICES**

WHEREAS, pursuant to Resolution No. 316 of 2011, this Legislature approved an agreement with the New York State Office of Homeland Security for the receipt of a grant through the SHSP2010 Homeland Security Funding in the amount of \$154,000.00; and

WHEREAS, by letter dated January 16, 2014 from Robert Vandawalker, Director of Emergency Services, this Legislature is advised that an extension of said grant has been submitted to expend any unused funds through February 28, 2014; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension on behalf of the County of Herkimer with the New York State Division of Homeland Security and Emergency Services, in connection with the receipt of an SHSP2010 Homeland Security Grant in the amount of \$154,000.00; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Emergency Services and the New York State Division of Homeland Security and Emergency Services.

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**



**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES AND WAYS AND MEANS AWARDING BID FOR CHEMICAL AT HERKIMER COUNTY SEWER DISTRICT**

WHEREAS, by letter dated January 14, 2014, the Budget Officer/Purchasing Agent has advised that bids were received in accordance with law for the provision of polymer for the Herkimer County Sewer District; and

WHEREAS, by said letter it is recommended that the bid for polymer be awarded Slack Chemical Co. 465 S. Clinton St., Carthage, NY 13619, in the amount of \$2.629 per pound price for Sta-Floc 128, which was the lowest bid received; now, therefore, be it

RESOLVED, that the bid for Polymer for the Herkimer County Sewer District be awarded to Slack Chemical Co. 465 S. Clinton St., Carthage, NY 13619, in the amount of \$2.629 per pound price for Sta-Floc 128; and, be it further

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

Dated: January 29, 2014.

FREDERICK J. SHAW, JR.  
ROBERT N. HYDE  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
ROBERT J. SCHRADER  
BOB WELLINGTON  
**Committee on Natural Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS AUTHORIZING CONTRACTS IN CONNECTION WITH FLEXIBLE FUNDS FOR FAMILY SERVICES PLAN (FORMERLY KNOWN AS TEMPORARY ASSISTANCE TO NEEDY FAMILIES – TANF) IN THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, by letter dated January 2, 2014 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that the State of New York has approved Herkimer County’s Flexible Funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families - TANF) Plan for the year 2013-14; and

WHEREAS, Herkimer County will receive federally allocated grant funding in connection with the implementation of the Flexible Funds for Family Services Plan; and

WHEREAS, said letter further requests that contracts be entered into with the following agencies for the implementation of the aforesaid program; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts with the following agencies in connection with the Herkimer County Department of Social Services Flexible Funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families -TANF) Services Plan:

1. Herkimer County Department of Mental Health, 301 N. Washington Street, Suite 2470, Herkimer, NY, in the amount of \$21,000 to provide assessment of TANF and Safety Net clients who have indicators of alcohol and/or drug problems;
2. Center for Family Life and Recovery ( formerly Family Services of the Mohawk Valley), 401 Columbia Street, Utica, NY 13502, in the amount of \$35,955, for management and coordination services to ensure clients with alcohol and/or drug abuse issues receive and follow through with the services they need to overcome their barriers to self-sufficiency;
3. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$20,000 to screen and provide assessment of clients who may have domestic violence issues as a barrier to self-sufficiency or receipt of child support;
4. Resource Center for Independent Living, Inc., 409 Columbia St., PO Box 210, Utica, NY 13503, to work with clients who have medical exemptions, or limited exemptions, to bridge the gap between vocational services and disability support services to achieve employment, with said contract not to exceed \$45,000.
5. Legal Aid Society of Mid-New York, 255 Genesee Street, Utica, NY 13501, to assist TANF and Safety Net clients in the appeal process, who have been denied Social Security Disability or Supplemental Security Income benefits, with said contract not to exceed \$12,000;
6. Center for Family Life and Recovery (formerly Family Services of the Mohawk Valley), 401 Columbia St., Utica, NY 13502, to provide preventive services to the Family Support Persons in Need of Supervision Unit (PINS), with said contract not to exceed \$349,479;
7. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$38,500 to provide non-residential services to TANF clients and their families who are victims of domestic violence; 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 and the above listed agencies.

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON HIGHWAYS AMENDING 2013 BUDGET IN CONNECTION WITH STATE SNOW EXPENSE**

WHEREAS, by letter dated January 14, 2014, from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2013 Budget in connection with the expense for state snow through the end of 2013; now, therefore, be it

RESOLVED, that the 2013 Herkimer County Budget is hereby amended as follows:

Revenue:

D-5144-2302, County Road Fund, State Snow Removal	From:	\$1,340,000
	To:	\$1,620,000

Appropriation

D-5144-44000, County Road Fund, Contracted Services	From:	\$1,300,000
	To:	\$1,580,000

And, be it further

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

Dated: January 29, 2014.

BRUCE WEAKLEY  
DENNIS KORCE  
PATRICK E. RUSSELL  
RAYMOND SMITH  
BERNARD PEPLINSKI, SR.  
JOHN L. BREZINSKI  
**Committee on Highways**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS & MEANS AUTHORIZING CONTRACT RENEWAL FOR OFFICE FOR THE AGING FOR MIPPA/ADRC FUNDING AND AMENDING 2013 HERKIMER COUNTY BUDGET**

WHEREAS, by letter dated December 10, 2013 from Kathy Fox, Director of the Office for the Aging, this Legislature is advised of a request to submit an additional application to receive MIPPA (Medicare Improvements for Patients & Providers Act)/ADRC (Aging and Disabilities Resource Center) funding; the purpose of this funding is to provide health insurance information, counseling and assistance to older individuals and their families. MIPPA/ADRC is specifically designed to outreach and provide direct application assistance to Medicare beneficiaries who are likely to be eligible for the Medicare Part D Low-Income Subsidy, the Medicare Savings Program, and to provide information about wellness/preventive programs. A portion of the funding is allocated to NY Connects under the ADRC portion of the grant. A portion of the funds will be used by the Office for the Aging to provide community presentations and to distribute information about the programs. The grant period is from September 30, 2013 through September 29, 2014, with an estimated award to be \$10,420.00; and

WHEREAS, this program shall be administered by the Office for the Aging on a subcontract basis; and

WHEREAS, by letter dated January 17, 2014 from Bernard E. Decker, Budget Officer/Purchasing Agent, this Legislature is advised that it will be necessary to amend the 2013 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to submit an application and act in connection with the application to provide such information as may be required to request and implement funding for the program as follows:

- MIPPA (Medicare Improvements for Patients & Providers Act)/ADRC (Aging and Disabilities Resource Centers) for the 9/30/2013– 9/29/2014 program year; funding is currently anticipated at \$10,420.00;
- Program shall be subcontracted to Catholic Charities of Herkimer County with said contract amount not to be more than the level of funding that is made available to the County of Herkimer; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary documents in connection with the receipt and implementation of said funding on behalf of the County of Herkimer; and, be it further

RESOLVED, that the 2013 Herkimer County Budget is hereby amended as follows:

Revenue:

A6780B.4780	MIPPA	From: \$-0-	
		To: \$10,420.00	

Appropriation

A6780B.41000,	MIPPA/ADRC, Supplies	From: \$-0-	
		To: \$ 420.00	
A6780B.44000	MIPPA/ADRC, Contracted Services	From: \$-0-	
		To: \$10,000.00	

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 Catholic Charities.

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS FOR STAFFING CHANGE IN THE HERKIMER COUNTY MENTAL HEALTH SERVICES**

WHEREAS, by letter dated December 23, 2013, Edgar Scudder, Director of Community Services, has requested a staffing adjustment be made in the Herkimer County Mental Health Services; now, therefore, be it

RESOLVED, that the 2014 Herkimer County Salary Schedule is hereby amended in Salary Schedule No. III to delete one position of Psychiatric Social Worker in Account A4320, Mental Health Department Programs, and establish one position of Psychiatric Social Worker Trainee in A4320 at the base annual salary of \$48,000; and, be it further

RESOLVED, that the foregoing change shall take effect this date; 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 Community Services.

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

No. 26

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 276 OF 2013 AUTHORIZING TEMPORARY STAFFING CHANGE IN EMPLOYMENT AND TRAINING ADMINISTRATION**

WHEREAS, by Resolution No. 276 adopted on November 13, 2013, this Legislature authorized a temporary part-time position be established in the Herkimer County Employment and Training Administration from November 14, 2013 through December 28, 2013; and

WHEREAS, by letter dated December 26, 2013, Karin Zipko, E & T Director, has requested said resolution be amended to extend the time period for said temporary part-time position through January 24, 2014; now, therefore, be it

RESOLVED, that Resolution No. 276 adopted on November 13, 2013 is hereby amended to delete in the Second Resolved Clause “through December 28, 2013 and replace “through January 24, 2014; and, be it further

RESOLVED, that in all other respects, said Report and Resolution No. 276 is hereby ratified and confirmed; and, be it further

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

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
PATRICK E. RUSSELL  
FREDERICK J. SHAW, JR.  
KURT J. ACKERMAN  
RAYMOND JOHNSON  
**Committee on County Planning  
and Development**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**



**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING STAFFING CHANGES IN PUBLIC HEALTH NURSING SERVICES IN CONNECTION WITH HEALTHY FAMILIES PROGRAM**

WHEREAS, by letter dated January 9, 2014, Christina Cain, Director of Public Health has advised that pursuant to Resolution No. 310 adopted on December 11, 2013, Kids Oneida, Inc. has taken over the implementation of the Healthy Families Program, and further requests that the two positions be deleted in Salary Schedule III, under Account A4189H, Healthy Families; and

WHEREAS, your Committees have considered said request and recommend said change; now, therefore, be it

RESOLVED, that the Herkimer County Salary Schedule III is hereby amended to delete one the positions of Family Assessment Worker and Program Manager in Account A4189H; and, be it further

RESOLVED, that the foregoing change shall be retroactive to January 1, 2014; 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: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING AGREEMENT FOR SERVICES OF DIETICIAN AT COUNTRY MANOR**

WHEREAS, by letter dated January 2, 2014 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised NYCRR 18, Section 587.9 requires the operator of an adult home to retain the services of a qualified dietician or dietetic technician to provide dietary consultant services to maintain compliance with certain food service requirements; and

WHEREAS, said letter requests that an agreement be entered into, on a consultant basis, with Shannon Davis, RD, CDN of Hartwick, New York, to provide said services; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Shannon Davis, RD, CDN, 4340 State Highway 80, Hartwick, New York, to provide consultant dietician services to the Country Manor for not to exceed six hours per month at a rate of \$40 per hour, with said agreement to be for the period January 1, 2014 through December 31, 2014; and, be it further

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

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND  
THE COMMITTEE ON WAYS AND MEANS AUTHORIZING STAFFING  
ADJUSTMENT IN PUBLIC HEALTH NURSING SERVICES**

WHEREAS, by letter dated December 18, 2013, Christina Cain, Director of Public Health, has requested a staffing adjustment of a position in the Public Health Nursing Service; and

WHEREAS, your Committees have considered said request and recommend said adjustment; now, therefore, be it

RESOLVED, that the Herkimer County Salary Schedule II is hereby amended to delete one position of Supervising Community Health in Account A4010, , and establish one position of Supervising Community Health Nurse in Account A4059, Early Intervention; and, be it further

RESOLVED, that the foregoing change shall be retroactive to January 1, 2014; 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: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS REGARDING AGREEMENT FOR SECURITY FOR INMATES AT CENTRAL NEW YORK PSYCHIATRIC CENTER**

WHEREAS, this Legislature is informed by letter dated December 17, 2013 from Christopher Farber, Sheriff, that it is necessary to enter into a renewal of a contract with the Oneida County Sheriff's Department to provide security services for inmates from the Herkimer County Correctional Facility who are housed at the Central New York Psychiatric Center; and

WHEREAS, the Oneida County Sheriff's Department has proposed a three year contract for the period January 1, 2014 through December 31, 2016 at a per diem rate of \$165.00 per inmate, and with a clause that in the event the inmate is admitted into a hospital as inpatient, said fee will be waived and Oneida County shall charge the actual costs of transporting and guarding the inmate for up to 48 hours; now, therefore, be it

RESOLVED, that a contract be entered into with the County of Oneida to provide security for inmates from the Herkimer County Correctional Facility who are housed at the Central New York Psychiatric Center for the period January 1, 2014 through December 31, 2016; and, be it further

RESOLVED, that the Chairman of this Legislature and the Sheriff are authorized to sign a contract with the County of Oneida and the Oneida County Sheriff's Department for providing security services at the Central New York Psychiatric Care Forensic Unit at a cost of \$165.00 per day, per inmate and with a clause that in the event the inmate is admitted into a hospital as inpatient, said fee will be waived and Oneida County shall charge the actual costs of transporting and guarding the inmate for up to 48 hours; and, be it further

RESOLVED, that the terms and conditions of said contract shall be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES  
AND WAYS AND MEANS ESTABLISHING PAYMENT STANDARD TO NON-PROFIT  
AGENCY PROVIDING CERTAIN SUPPORTIVE SERVICES TO DEPARTMENT OF  
SOCIAL SERVICES**

WHEREAS, by letter dated December 20, 2013 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that Administrative Directive 05-ADM-03 issued by the NYS Office of Temporary and Disability Assistance requires local districts to establish a standard of need to determine the correct level of assistance for persons not residing in their own homes, which would include room and board situations operated by a non-profit agency providing certain supportive services, with such rate to be negotiated and established by the local district; and

WHEREAS, by letter dated January 23, 2014, Timothy Seymour, Commissioner of Social Services, has requested a payment standard be established for John Bosco House, Inc., a New York State certified transitional program providing a variety of supportive services, for an individual placed into this program who has been determined to be the fiscal responsibility of the Herkimer County Department of Social Services;

RESOLVED, this Legislature hereby establishes a payment standard in the amount of \$590.00 per month (specifically allocated as \$545.00 program rate and \$45.00 rate for Personal Needs Allowance) to the John Bosco House, Inc., 425 Lafayette Street, Utica, New York 13502, to provide a variety of supportive services for an individual placed into this program who has been determined to be the fiscal responsibility of the Herkimer County Department of Social Services; and, be it further

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

Dated: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

No. 32

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS AUTHORIZING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES**

WHEREAS, by letter dated November 22, 2013 from Edgar Scudder, Director of Community Services, this Legislature is advised of a request to enter into contracts for the years 2014 and 2015 with various agencies to provide a variety of mental health services for county residents; 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 years 2014 and 2015 with the following agencies to provide services to the Herkimer County Mental Health Services:

1. Upstate Cerebral Palsy Association  
1020 Mary Street  
Utica, NY 13501  
For a contract sum of \$500,000
2. Herkimer ARC  
333 South Main Street  
Herkimer, NY 13350  
For a contract sum of \$220,000
3. Family Services of the Mohawk Valley  
401 Columbia Street  
Utica, NY 13502  
For a contract sum of \$155,000
4. Catholic Charities  
61 West Street  
Ilion, NY 13357  
For a contract sum of \$400,000
5. Neighborhood Center  
615 Mary Street  
Utica, NY 13501  
For a contract sum of \$105,000
6. Cornell Cooperative Extension  
5657 State Route 5  
Herkimer, NY 13350  
For a contract sum of \$5,250

and, be it further

RESOLVED, that said above contracts shall be for a period of two years and shall end whenever state funds for said purposes are no longer 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: January 29, 2014.

RAYMOND SMITH  
FREDERICK J. SHAW, JR.  
PATRICK E. RUSSELL  
PETER F. MANNO  
HELEN T. ROSE  
RAYMOND JOHNSON  
**Committee on Human Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT FOR ALL HAZARDS MITIGATION PLAN CONSULTANT**

WHEREAS, by letter dated January 16, 2014, Robert A. Vandawalker, Director of Emergency Services has recommended an agreement be entered into with KKB Associates, LLC, for provision consultant services in connection with the update of the All-Hazards Mitigation Plan for a total cost of \$53,000.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement KKB Associates, LLC, for provision consultant services in connection with the update of the All-Hazards Mitigation Plan for a total cost of \$53,000.00, with the terms of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall continue until the plan is approved and so long as budgeted funding is available; and, be it further

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

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**



**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT FOR POLYGRAPH SERVICES IN PROBATION DEPARTMENT**

WHEREAS, by letter dated January 23, 2014, Garry Murphy, Director of Probation, has advised that in accordance with the Sex Offender Registry Act (SORA) and New York State Legislation it is the recommendation that certain offenders be subjected to polygraph testing as a means to monitor treatment goals and provide enhanced supervision in the community, and further in order to maintain compliance with the expectations of the State Aid Plan and Block Grant Application through the Division of Criminal Justice Services it is required that a department policy and protocol be in place in regard to Post Conviction Sex Offender Testing polygraph examination program; and

WHEREAS, said letter further requests that an agreement be entered into with Northeast Polygraph Services, Inc. of Ravena, New York, at a cost of \$250.00 per test, with the offender/probationer to be fully responsible for said cost unless indigence is proven and in that event, the testing will be the responsibility of the Probation Department; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Northeast Polygraph Services, Inc., 55 Pulver Ave., Ravena, New York 12143, for the provision polygraph testing services in accordance with the Sex Offender Registry Act (SORA) and New York State Legislation at a cost of cost of \$250.00 per test, with the offender/probationer to be fully responsible for said cost unless indigence is proven and in that event, the testing will be the responsibility of the Probation Department, with the terms of said agreement 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 Probation and Northeast Polygraph Services, Inc.

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES  
AND THE COMMITTEE ON WAYS AND MEANS APPROVING SEWER DISTRICT  
RESOLUTION IN CONNECTION WITH LITIGATION**

WHEREAS, by letter dated January 16, 2014, this Legislature is advised that by action on December 20, 2013, the Herkimer County Sewer District Board adopted a resolution authorizing legal action to recover cost of replacement of the defective HVAC Unit/air conditioning unit installed by C.O. Falter Construction at the Herkimer County Sewer District; and

WHEREAS, this Resolution has been forwarded to the Herkimer County Legislature for approval prior to its becoming effective; now, therefore, be it

RESOLVED, that this Legislature hereby approves a resolution duly adopted by the Herkimer County Sewer District Board on December 20, 2013, authorizing legal action to recover cost of replacement of the defective HVAC Unit/air conditioning unit installed by C.O. Falter Construction at the Herkimer County Sewer District; and, be it further

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

Dated: January 29, 2014.

FREDERICK J. SHAW, JR.  
ROBERT N. HYDE  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
ROBERT J. SCHRADER  
BOB WELLINGTON  
**Committee on Natural Resources**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
AUTHORIZING AN AGREEMENT WITH THE CENTER FOR FAMILY LIFE AND  
RECOVERY, INC. FOR EMPLOYEE ASSISTANCE PROGRAM**

WHEREAS, by letter dated December 20, 2013, Steven R. Billings, Personnel Officer, advises of a request to enter into an agreement with the Center for Family Life & Recovery, Inc. of Utica, New York, to provide an Employee Assistance Program; and

WHEREAS, said agreement will provide short term interventions to resolve work-related or personal problems that may be affecting employees of Herkimer County, with the cost of said agreement to be \$7,440.00 for the period February 1, 2014 through January 31, 2015; now, therefore, be it

RESOLVED, that an agreement be entered into with the Center for Family Life and Recovery, Inc., 502 Court Street, Suite 401, Utica, New York 13502, to provide an Employee Assistance Program to employees of Herkimer County for a period of one year commencing February 1, 2014, at a total cost of \$7,440.00, with the terms and conditions of said contract to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said agreement on behalf of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and the Center for Family Life and Recovery, Inc.

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEES ON HIGHWAYS EXTENDING AGREEMENT FOR SNOW AND ICE CONTROL WITH STATE OF NEW YORK**

WHEREAS, the County of Herkimer, pursuant to Section 12 of the Highway Law relating to plowing snow and to control snow and ice on state highways in the towns and incorporated villages of the County, has heretofore entered into an agreement dated July 1, 1974, with the State of New York for such purposes; and

WHEREAS, Sections 7 and 10 of said agreement provide a method of modification of the map of affected state highways and of annually updating the estimated expenditures; and

WHEREAS, by communication dated January 22, 2014, the County Superintendent of Highways has submitted contracts in form prepared by the State of New York to extend said agreement for an additional one year period, at an estimated payment from the State of \$1,245,691.81 for 2014-2015; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute such extension of said Snow and Ice Control Agreement for the year July 1, 2014 through June 30, 2015 at an estimated expenditure of \$1,245,691.81 for 2014-15; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Superintendent of Highways and New York State Department of Transportation.

Dated: January 29, 2014.

BRUCE WEAKLEY  
DENNIS KORCE  
PATRICK E. RUSSELL  
RAYMOND SMITH  
BERNARD PEPLINSKI, SR.  
JOHN L. BREZINSKI  
**Committee on Highways**

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING ADDITIONAL OFFICE SPACE PERMIT AGREEMENT WITH THE MARY IMOGENE BASSETT HOSPITAL d/b/a BASSETT MEDICAL CENTER AT THE WORKING SOLUTIONS CAREER CENTER**

WHEREAS, Resolution No. 293 adopted on December 11, 2013, this Legislature authorized an Office Space Permit Agreement with the Mary Imogene Bassett Hospital d/b/a Bassett Medical Center to provide a cubicle of office space at the Working Solutions One Stop Center, with payment to the County to be in the amount of \$7,000 annually; and

WHEREAS, by letter dated January 16, 2014, Karin Zipko, Director of Employment and Training has advised of a request to enter into a second Office Space Permit Agreement with The Mary Imogene Bassett Hospital; and

WHEREAS, said agreement would be for a term of one year commencing January 1, 2014 through December 31, 2014 and would provide a cubicle of office space in the Working Solutions One Stop Center for use by The Mary Imogene Bassett Hospital d/b/a Bassett Medical Center or the purpose of assisting and serving its customers, with payment to the County to be in the amount of \$7,000 annually; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an additional Office Space Permit Agreement on behalf of the County of Herkimer The Mary Imogene Bassett Hospital d/b/a Bassett Medical Center, containing the above terms and conditions, with further terms and conditions subject to the approval of the Herkimer County Attorney; and, be it further

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Employment and Training and the Mary Imogene Bassett Hospital d/b/a Bassett Medical Center.

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
PATRICK E. RUSSELL  
FREDERICK J. SHAW, JR.  
KURT J. ACKERMAN  
RAYMOND JOHNSON  
**Committee on County Planning  
and Development**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

No. 39

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS APPROVING AMENDMENT TO COURT SECURITY CONTRACT**

WHEREAS, by Resolution No. 251 adopted on October 23, 2013, this Legislature authorized a Court Security Contract Renewal with the Office of Court Administration for the period from April 1, 2013 through March 31, 2014, with the maximum reimbursement not to exceed \$51,300.00; and

WHEREAS, this Legislature has been advised by Sheriff Christopher P. Farber by letter dated September 26, 2013, that the Office of Court Administration has submitted an amendment to said contract (Appendix B) for inclusion of fringe benefits that were omitted from the initial contract, with all other terms and conditions of the Agreement to remain the same; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute an amendment (Appendix B) to the contract with the Office of Court Administration, which was approved by Resolution No. 251 adopted on October 23, 2013, and with all other terms of said agreement to remain the same; and, be it further

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

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS ACCEPTING GRANT AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING**

WHEREAS, by letter dated December 21, 2013 from Michael L. Edwards, STOP-DWI Coordinator, this Legislature is advised of the award of a New York State Highway Safety Program Grant (STOP-DWI Crackdown) for 2013-2014 in the amount of \$26,712.00 which will be available to the Village of Herkimer, Village of Ilion, City of Little Falls, Village of Mohawk, Village of Dolgeville and Village of Frankfort Police Departments, with the goal to reduce the number of crashes, injuries and deaths on New York's roads; and

WHEREAS, by letter dated January 14, 2014 from Bernard E. Decker, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2013 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that this Legislature accepts the award of a New York State Highway Safety Program Grant ( STOP-DWI Crackdown) for 2013-2014 in the amount of \$26,712.00 which will be available to the Village of Herkimer, Village of Ilion, City of Little Falls, Village of Mohawk, Village of Dolgeville and Village of Frankfort Police Departments; and, be it further

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

RESOLVED, that the 2013 Herkimer County Budget is hereby amended as follows:

Revenue:

A3315A.3389E	Special Traffic Programs, DWI Crackdown	From: \$0
		To: \$26, 712.00

Appropriation

A3315A.44000	Special Traffic Programs, Contracted Services	From: \$0
		To: \$26, 712.00

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and STOP-DWI Coordinator

Dated: January 29, 2014.

BERNARD PEPLINSKI, SR.  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**



**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING STUDENT INTERNSHIP AT PROBATION DEPARTMENT AND OTHER COUNTY DEPARTMENTS**

WHEREAS, by letter dated December 24, 2013, Garry Murphy, Director of Probation has requested to sponsor a student intern from Herkimer County Community College at the Herkimer County Probation Department; and

WHEREAS, your Committees have considered said matter and recommends an agreement be entered into with Herkimer County Community College for said purpose and also with any other department of the County; now, therefore be it

RESOLVED, that the County of Herkimer enter into an agreement with Herkimer County Community College to provide a student internship at the Herkimer County Probation Department; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said agreement, subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that authorization is hereby made to allow for future student interns from Herkimer County Community College at other county departments; and, be it further

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

Dated: January 29, 2014.

LEONARD R. HENDRIX  
BRUCE WEAKLEY  
RAYMOND SMITH  
ROBERT N. HYDE  
DENNIS KORCE  
BERNARD PEPLINSKI, SR.  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON HIGHWAYS AWARDING  
BID FOR PURCHASE OF EQUIPMENT FOR HIGHWAY DEPARTMENT**

WHEREAS, the Budget Officer/Purchasing Agent has advised by letter dated January 17, 2014 that sufficient funds have been budgeted for the purchase of four (4) International Tandem axle dump trucks from Navistar, Inc., of Loudonville, New York, in the amount of \$495,600 (\$123,900 per vehicle), which purchase will utilize the option of “piggybacking” on the Onondaga County Contract #7823; and

WHEREAS, said contract was bid and awarded by Onondaga County with the provisions for use by any municipalities authorized by New York State General Municipal Law and said vehicles are the lowest price vehicles available under this contract which meet the specifications of the Herkimer County Highway Department; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of four (4) International Tandem axle dump trucks from Navistar, Inc., 399 Albany Shaker Road, Suite 202, Loudonville, New York 12241, in the total amount of \$495,600 (\$123,900 per vehicle), which vehicles are the lowest price vehicles available under this contract which meet the specifications of the Herkimer County Highway Department; and, be it further

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

Dated: January 29, 2014.

BRUCE WEAKLEY  
DENNIS KORCE  
PATRICK E. RUSSELL  
RAYMOND SMITH  
BERNARD PEPLINSKI, SR.  
JOHN L. BREZINSKI  
**Committee on Highways**

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS APPROVING RENEWAL OF AGREEMENT FOR SALLYPORT INMATE MANAGEMENT SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY**

WHEREAS, by Resolution No. 19 of 2009 this Legislature authorized an agreement to accept the SallyPort Jail Management System at the Herkimer County Correctional Facility, which agreement has been renewed by resolution thereafter; and

WHEREAS, by letter dated January 10, 2014 from Sheriff Christopher Farber, this Legislature is advised of a request to renew said agreement for support services for the SallyPort Inmate Management System for the period 1/1/2014 through 12/31/2014 at a cost of \$10,225.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for support services for the SallyPort Inmate Management System at the Herkimer County Correctional Facility, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 1/1/2014 through 12/31/2014 at an annual cost of \$10,225.00; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized for a period of three years under the same terms and conditions; and, be it further

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

Dated: January 29, 2014.

BERNARD PEPLINSKI  
RAYMOND SMITH  
BRUCE WEAKLEY  
DENNIS KORCE  
ROBERT N. HYDE  
JOHN P. STEPHENS  
**Committee on Public Safety/  
Emergency Management**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
GRANTING AN ADDITIONAL LEAVE OF ABSENCE**

WHEREAS, by Resolution No. 370 for the year 1986, a leave with pay was granted to Mary Sullivan extending to July 1, 1988, so that she could serve in a statewide office with the Civil Service Employees' Association; and

WHEREAS, said leave with pay was extended by resolutions thereafter, most recently by Resolution No. 45 of 2013 to expire June 30, 2014; and

WHEREAS, by letter dated January 17, 2014, Timothy Seymour, Commissioner of Social Services has advised that by letter dated January 6, 2014, Mary Sullivan has requested said leave be extended; now, therefore, be it

RESOLVED, that a leave of absence with pay be granted to Mary Sullivan under the terms and conditions set forth in Resolution No. 370 for the Year 1986 for the period from July 1, 2014 through June 30, 2015, with the Civil Service Employees' Association, Inc. to furnish insurance in form and amount satisfactory to the Herkimer County Administrator to protect the County if held liable for any damages arising from act or omission by such employee during the period of such leave and with the County to be reimbursed for the full salary and total cost for the full salary and total cost for fringe benefits for said Mary Sullivan; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Commissioner of Social Services, Mary Sullivan and the Civil Service Employees' Association, Inc. of New York State.

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI. SR.  
KURT ACKERMAN  
**Committee on Ways and Means**

**RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES AUTHORIZING  
CHAIRMAN OF THE LEGISLATURE TO SIGN AND ESTABLISH DOG  
QUARANTINE FOR 2014**

WHEREAS, the deer population in the County of Herkimer may suffer depredation due to dogs attacking, chasing and worrying deer; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby determines that the deer population in the County of Herkimer is suffering depredation due to dogs attacking, chasing and worrying deer;

2. That pursuant to Section 122 of the Agriculture and Markets Law of the State of New York, the Herkimer County Legislature hereby authorizes the Chairman of the County Legislature to sign an Order requiring that all dogs in the County of Herkimer shall be securely confined during the period of time designated in the Order or until such time as the Order is revoked;

3. That notice of such Order shall be given by publication in the Herkimer Telegram, and the Little Falls Times, and by filing a copy of said Order in the office of each town clerk in the area affected by such Order;

4. That such Order shall be in full force and effect at the expiration of twenty four hours following publication of such order.

5. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and each town clerk in the area affected by said Order.

Dated: January 29, 2014.

FREDERICK J. SHAW, JR.  
ROBERT N. HYDE  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
ROBERT J. SCHRADER  
BOB WELLINGTON  
**Committee on Natural Resources**

**RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS' AFFAIRS AND THE COMMITTEE ON WAYS AND MEANS REQUESTING AUTHORITY TO EXTEND THE IMPOSITION OF A MORTGAGE RECORDING TAX**

WHEREAS, Local Law No. 1 for the year 2005 imposed a mortgage recording tax within the County of Herkimer, pursuant to Section 253-c of the Tax Law, Chapter 549 of the Laws of 2005, as amended by Chapter 474 of the Laws of 2006; and

WHEREAS, Local Law No. 2 for the year 2012 extended the mortgage recording tax to December 1, 2014, pursuant to Section 253-u of the Tax Law, Chapter 481; and

WHEREAS, the County of Herkimer is faced with continuing fiscal pressure in the foreseeable future, and wishes to minimize the burden on local property taxpayers; and

WHEREAS, because of said requirements and others, this County Legislature finds it necessary to request an extension of the county mortgage recording tax; now, therefore, be it

RESOLVED, that this Legislature hereby requests that the Assemblypersons and State Senators elected to represent Herkimer County in the New York State Legislature cause to be introduced in the Assembly and in the Senate bills to allow Herkimer County to extend, by local law or resolution, a mortgage recording tax in the amount of twenty-five cents for each one hundred dollars in each remaining major fraction thereof of principal debt or obligation which is secured by a mortgage on real property situated within the County, with such tax to mirror the state mortgage recording tax, except that the deposit of all revenue received pursuant to such tax, after deducting administration expenses, shall be into the general fund of Herkimer County, with the revenue from such mortgage recording tax to be used for any county purpose, and that the New York State Tax Law and whatever other sections of law are necessary to fulfill this purpose be amended; and, be it further

RESOLVED, that our said representatives in the State Legislature make every effort to secure prompt passage of said legislation to the end that Herkimer County may receive the benefits of said legislation at the earliest date possible; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblyman Anthony J. Brindisi and Assemblywoman Claudia Tenney.

Dated: January 29, 2014.

ROBERT N. HYDE  
FREDERICK J. SHAW, JR.  
PETER F. MANNO  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
BOB WELLINGTON  
**Committee on Administration/  
Veterans' Affairs**

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI, SR.  
KURT J. ACKERMAN  
**Committee on Ways and Means**

No. 48

**RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS DETERMINING OFFICERS AND EMPLOYEES OF HERKIMER COUNTY REQUIRED TO FILE FINANCIAL DISCLOSURE FORMS**

WHEREAS, the Herkimer County Legislature has, pursuant to the General Municipal Law, enacted Local Law No. 3 for the year 1990, an Ethics Law which requires a financial disclosure form to be filed by certain officers and employees of the County of Herkimer; and

WHEREAS, by Resolution No. 339 of 1990 the Herkimer County Legislature adopted a list of all officers and employees of the County who are required to file annual financial disclosure forms, which resolution was amended to reflect changes to positions in subsequent years; and

WHEREAS, due to changes in positions and duties of officers and employees it is hereby necessary to adopt a new list, referred to as Schedule A; now, therefore, be it

RESOLVED, that all officers and employees on the attached list attached hereto marked Schedule A, be required to file a financial disclosure form as set forth in Local Law No. 3 for the year 1990; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Ethics Board and each officer and employee who holds a position named on Schedule A.

Dated: January 29, 2014.

PATRICK E. RUSSELL  
DENNIS KORCE  
RAYMOND SMITH  
BRUCE WEAKLEY  
BERNARD PEPLINSKI  
KURT J. ACKERMAN  
**Committee on Ways and Means**



**RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS' AFFAIRS  
SUPPORTING PUBLIC HEARING BY THE NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION ON REQUEST BY THE MOHAWK VALLEY WATER  
AUTHORITY TO DRAW ADDITIONAL WATER FROM WEST CANADA CREEK**

WHEREAS, the West Canada Creek is a vital natural resource which passes through Herkimer County and for part of its length, runs along part of the boundary between Herkimer and Oneida Counties; and

WHEREAS, the West Canada Creek also provides the potential for future water usage in the County, whether that be for commercial, residential or electrical energy uses; and

WHEREAS, it passes through or along the border of the Villages of Poland, Newport, Middleville and Herkimer, and the Towns of Ohio, Russia, Newport, Fairfield, Herkimer and German Flatts, and provides recreational activities, is a world renowned fishery, is a unique wildlife habitat, and source of natural beauty for the County; and

WHEREAS, there is presently before the New York State Department of Environmental Conservation an application by the Mohawk Valley Water Authority to modify its water supply permit in order to provide additional water for townships, and to extend water being supplied from the West Canada Creek to areas to the west of the area presently served by the Mohawk Valley Water Authority; and

WHEREAS, Assemblyman Marc Butler has requested that the New York State Department of Environmental Conservation conduct a public hearing to fully explore the impact of this additional water draw, the necessity for its taking place, and the potential impact on Herkimer County of such a step; and

WHEREAS, the potential impact on Herkimer County, its residents and its natural resources, as well as the value of properties along the West Canada Creek has not been fully explored; now, therefore, be it

RESOLVED, that the Herkimer County Legislature joins with Assemblyman Marc Butler to request that the New York State Department of Environmental Conservation conduct a public hearing on this application, with the ability of all interested parties to obtain answers to the many questions raised by Assemblyman Butler and his request; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew M. Cuomo, Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblyman Anthony J. Brindisi, Assemblywoman Claudia Tenney, the New York State Association of Counties and the Mohawk Valley Water Authority.

Dated: January 29, 2014.

ROBERT N. HYDE  
FREDERICK J. SHAW, JR.  
PETER F. MANNO  
JOHN L. BREZINSKI  
MARTIN J. LUPPINO, JR.  
BOB WELLINGTON  
**Committee on Administration/Veterans'  
Affairs**

**RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS' AFFAIRS  
SUPPORTING LEGISLATION SPONSORED BY ASSEMBLYMAN ANTHONY J. BRINDISI  
FOR THE STATE ASSEMBLY TO CREATE A CAREER  
AND TECHNICAL EDUCATION DIPLOMA FOR HIGH SCHOOL STUDENTS**

WHEREAS, by letter dated October 29, 2013, Assemblyman Anthony J. Brindisi has requested support for adoption of legislation which would create a Career and Technical Education Diploma for New York State high school students; and

WHEREAS, today's manufacturers increasingly depend on workers with technical skills and are often unable to find qualified applicants to fill job vacancies; and

WHEREAS, there are many students who are looking for a pathway to success in a technical or manufacturing job; and

WHEREAS, a Career and Technical Education (CTE) diploma in New York's public schools that combines technical career-oriented classes and curriculum with the change to gain valuable work experience could be extremely beneficial, both to our manufacturing and technical-oriented employers, but also to young people; and

WHEREAS, this career pathway would lead to students gaining experience in welding, mechanical technology, computer systems and networking, green energy, and other fields where there is a shortage of qualified workers in New York; and

WHEREAS, a CTE Diploma will teach the skills students need to obtain jobs in a variety of good-paying fields, including high-tech manufacturing, nanotechnology, cyber-security, biosciences and other areas; and

WHEREAS, this program offers great potential to reduce high school dropout rates in New York, ease the state's "middle skills jobs gap" and encourage more young people to stay in New York; and

WHEREAS, A.8189 and S.5966 would establish this much needed Career and Technical Education (CTE) Diploma in New York's public schools; now, therefore, be it

RESOLVED, that this body supports the passage of said bills in the New York State Assembly and the New York State Senate; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew M. Cuomo, Assemblyman Anthony J. Brindisi, Assemblywoman Claudia Tenney, Assemblyman Marc W. Butler, Senator James L. Seward and Senator Hugh T. Farley.

Dated: January 29, 2014.

ROBERT N. HYDE  
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