

**MINUTES**  
**Herkimer County Legislature**  
**Third Quarter – Third Day**  
**Wednesday, September 13, 2017**  
**7:30 p.m.**

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

Chairman Peplinski called on Legislator John L. Brezinski, to lead the Legislature in the Pledge of Allegiance.

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

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

Present: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Quorum present.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of August 9, 2017. There were none, and the Chairman ordered them approved.

Chairman Peplinski dispensed with the regular session to allow for a presentation by Roger Skinner, of the Rotary Club and David Battin, of the Oneida-Herkimer Literacy Coalition. Mr. Skinner explained the role the Dolly Parton Imagination Library plays in our communities and then introduced Mr. Battin who gave a detailed presentation regarding the program. The gentleman explained this program has always been privately funded and further stated the time has come to look to the municipal governments as funding has become harder to obtain. They thanked the Legislature for the consideration.

Pursuant to Rule 11 Chairman Peplinski opened the floor for public comment. (1) Carl Streeter, 124 S. Third Ave., Ilion discussed figures he had on boarding out prisoners and building a new jail.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Legislator Patrick E. Russell, Chairman of the Committee on Ways & Means stated that the committee will begin holding budget meetings on September 22<sup>nd</sup>. He stated all members are invited to attend. Legislator Raymond Johnson, Chairman of the Committee on County Properties stated the Land Bank had received a \$100,000 grant, which part of the money will be used for updating the offices. Legislator Peter Manno stated the Information Services Committee met and authorized advertisement for an Information Services Director.

Chairman Peplinski stated that the communications received by the Legislature and the committees to which they were referred were as listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. There were no requests.

**Communications:**

270	Carole LaLonde – Expressing appreciation for Recognition of Retirement	FILE
271	NYS Department of Taxation & Finance – Acknowledging receipt of Resolution	FILE
272	NYS Department of Taxation & Finance – Submitting 2017 State Equalization Rates	FILE
273	Historical Society – Expressing gratitude for second half of County’s allocation	FILE
274	NYS Parks, Recreation & Historic Preservation – Submitting addition to list of Historic Places	FILE
275	PROACT – Discount Card Utilization Report	FILE
276	Solid Waste Authority – Submitting Correspondence Regarding Regional Demolition Program	FILE
277	Solid Waste Authority – Submitting Requests for Proposals	FILE
278	Solid Waste Authority – Submitting Requests for Proposals	FILE
279	National Grid – Submitting semi-annual PCB report	FILE
280	NYS Agriculture & Markets – Submitting Correspondence Concerning Town Of Newport’s Zoning Code	FILE
281	Budget Officer – Requesting adoption of Purchasing Policy for 2017	WAYS & MEANS
282	Probation Director – Submitting 2016 Annual Report for Probation	PUB. SFTY./ EMER. MGMT.
283	Budget Officer – Requesting transfers of funds in 2017 Budget	WAYS & MEANS

- 284 Village of West Winfield – Submitting Resolution with the Town of West Winfield for consolidation of their Vital Statistic Registrar Districts  
ADMIN./VETS AFFAIRS
- 285 Director of Community Services – Requesting permission to accept an intern  
HUMAN RES.
- 286 NYS Department of Transportation – Submitting Detour Resolution  
HIGHWAYS
- 287 NYS Department of Transportation – Submitting Detour Resolution  
HIGHWAYS
- 288 Highway Superintendent - Submitting Items for Committee Agenda  
HIGHWAYS
- 289 Highway Superintendent – Submitting Capital Construction Project  
HIGHWAYS
- 290 Highway Superintendent – Submitting Capital Construction Project  
HIGHWAYS
- 291 NYS Unified Court System – Submitting request for 2017-2018 Security Contract renewal and schedule  
PUB.  
SFTY./  
EMER. MGMT.  
WAYS  
& MEANS
- 292 Sheriff – Requesting acceptance of the Dept. of Homeland Security FY2017 SLETPP grant  
PUB. SFTY/  
EMER. MGMT.  
WAYS & MEANS
- 293 Director of Real Property – Requesting to renew contract with Town of Stark for Assessment services  
WAYS & MEANS
- 294 STOP DWI Coordinator – Submitting correspondence regarding additional funds for grant  
PUB.SFTY./  
EMER. MGMT.  
WAYS & MEANS
- 295 STOP DWI Coordinator – Submitting correspondence regarding additional funds for grant  
PUB.SFTY./  
EMER. MGMT.  
WAYS & MEANS

- 296 Budget Officer – Requesting budget amendment for additional awards for  
DWI grant WAYS  
& MEANS
- 297 Director of Emergency Services – Requesting the approval of FY 2017  
Homeland Security SHSP grant contract PUB. SFTY/  
EMER. MGMT.  
WAYS & MEANS
- 298 Budget Officer – Request to amend 2017 budget in conjunction with  
Homeland Security Grant WAYS & MEANS
- 299 County Treasurer – Submitting 2016 D’Arcangelo& Co. LLC., Audit WAYS & MEANS
- 300 Director of Emergency Services – Requesting agreement with Adaptable  
Commercial Properties for space rental at Dutch Hill Communication Tower site PUB.  
SFTY./  
EMER. MGMT.  
WAYS & MEANS
- 301 Director of Community Services – Requesting to amend Salary Schedule 3  
HUMAN RES.  
WAYS & MEANS
- 302 Budget Officer – Amending budget and establish project in Emergency Svcs. WAYS  
& MEANS
- 303 Budget Officer – Amending budget and establish project in Emergency Svcs. WAYS  
& MEANS
- 304 Budget Officer – Requesting transfers in Emergency Services WAYS & MEANS
- 305 Personnel Officer – Confirming Salary Schedule change in Mental Health WAYS &  
MEANS
- 306 Director of Probation – Requesting Approval of Alternatives to Incarceration  
Contract with NYS PUB. SFTY/  
EMER.MGMT.  
WAYS & MEANS
- 307 Sheriff – Submitting Monthly Report for June, 2017 PUB. SFTY./  
EMER.MGMT.

- |     |  |                                |
|-----|--|--------------------------------|
| 308 | Director of Community Services – Requesting a change to the part time Salary Schedule  | HUM. RES.<br>WAYS & MEANS      |
| 309 | Director of Public Health – Requesting contract renewal with NYS for Early Intervention Administration Program                                     | HUM. RES.<br>WAYS & MEANS      |
| 310 | Commissioner of Social Services – Requesting contract renewal with Catholic Charities for TREATY Program   | HUM. RES<br>WAYS & MEANS       |
| 311 | Chief Plan Operator, Sewer District – Requesting amendment to Laundry List   | WAYS & MEANS                   |
| 312 | Executive Director; IDA – Requesting approval for loan from Small Cities Revolving Loan Fund   | CO. PLNG./DEV.                 |
| 313 | Budget Officer/Purchasing Agent – Requesting Appropriation of Funds  | WAYS<br>& MEANS                |
| 314 | Chairman of the Legislature – Making Appointments to the Youth Advisory Board  | FILE                           |
| 315 | Mitchell S. Morris, Associate Counsel; Office of the State Comptroller - Acknowledging Receipt of County Resolution concerning a sales and use tax | FILE                           |
| 316 | Personnel Officer – Requesting extension of Appointment of Acting Director In Information Services department                                      | INFO.<br>SVCS.<br>WAYS & MEANS |

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Ackerman, seconded by Mr. Bono, Report and Resolution No. 199 sponsored by the Committee on Public Safety/Emergency Management adopting the 2016 Annual Report of the Herkimer County Probation Department budget was handed up; was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 200 sponsored by the Committee on Ways and Means adopting updated Policies and Procedures for Purchase of Goods and Services and Professional Services Procurement Policy was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 201 sponsored by the Committees on Ways and Means transferring funds was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Campione, seconded by Mr. Smith, Report and Resolution No. 202 sponsored by the Committee on Highways Authorizing the State Department of Transportation to Utilize Roads and Streets During Construction was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Weakley, Report and Resolution No. 203 sponsored by the Committee on Highways Authorizing the State Department of Transportation to Utilize Roads and Streets during Construction was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 204 sponsored by the Committee on Highways approving Projects Under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Brezinski, seconded by Mr. Campione, Report and Resolution No. 205 sponsored by the Committee on Highways authorizing implementation and funding in the first instance of 100% of the Federal Aid and State Marchieselli Program Aid Program and appropriating funds therefor – Higby Road CR 186-51-96, Town of Frankfort, Project 377 was handed up; voted on and adopted by roll call vote:

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

Against: None                      Absent: None.

On motion of Mr. Keeler, seconded by Mr. Bono, Report and Resolution No. 206 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means approving amendment to Court Security Contract was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Brezinski, Report and Resolution No. 207 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways

and Means accepting grant for Homeland Security funding for Sheriff's Department was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 208 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means authorizing execution of Alternatives to Incarceration Contracts was handed up; discussion held; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Campione, seconded by Mr. Schrader, Report and Resolution No. 209 sponsored by the Committee on Ways and Means authorizing contract with the Town of Stark to provide Assessment Services to the Town was handed up; was voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 210 sponsored by 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:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 211 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means accepting grant, amending budget and establishing account for receipt of Homeland Security Funding for Communications System Computer Aided Dispatch System was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 212 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways and Means amending budget and establishing account in connection with Grant Funding in the Office of Emergency Management handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Ackerman, Report and Resolution No. 213 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means Establishing Project Number and Amending Budget for 2016 Interoperable Grant was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 214 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways and Means authorizing an Agreement for Tower Site was handed up; discussion held; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Weakley, seconded by Mr. Smith, Report and Resolution No. 215 sponsored by the Committee on Human Resources and the Committee on Ways and Means Amending Salary Schedule No. 3 for Position Changes in Herkimer County Mental Health Department was handed up; voted on and adopted by roll call vote:

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

Against: None                      Absent: None.

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No. 216 sponsored by the Committee on Human Resources and Committee on Ways & Means amending Salary Schedule to Establish Position in Herkimer County Mental Health Department was handed up; voted on and adopted by roll call vote:

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

Against: None                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 217 sponsored by the Committee on Human Resources and Committee on Ways and Means authorizing contract with the State of New York for funding for Early Intervention Administration Program was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Johnson, Report and Resolution No. 218 sponsored by the Committee on Human Resources and Committee on Ways & Means authorizing extension of contract with Catholic Charities of Herkimer County and the Department of Social Services for a Youth Violence Prevention Program for Schools in Herkimer County was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.



On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 219 sponsored by the Committee on Ways and Means amending Resolution No. 302 of 2016 authorizing Payment of Dues for Municipal Officers and Employees During the Year 2017 was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Weakley, seconded by Mr. Bono, Report and Resolution No. 220 sponsored by the Committee on County Planning & Development and Committee on Ways and Means approving Loan from the Herkimer County Small Cities Revolving Loan Fund was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Peplinski, seconded by Mr. Ackerman, Resolution No. 221 Approving Consolidation of Vital Statistics Registrar Districts was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 222 sponsored by the Committee on Ways & Means Appropriating Funds in Connection with the Workers' Compensation Buyout was handed up; voted on and adopted by roll call vote:

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

Against: None                      Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 223 sponsored by the Committee on Public Safety/Emergency Management Setting Public Hearing Pursuant to NYS Eminent Domain Procedure Law was handed up; voted on and adopted by roll call vote:

For: Markwardt, Wellington, Johnson, Stephens, Keeler, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (13).

Against: Malta, Schrader, Brezinski, Manno (4).                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Johnson, Resolution No. 224 Supporting Statewide Ballot Proposal Number #3 to Address Public Health and Safety Concerns for use by Towns, Villages, and Counties was handed up; voted on and adopted by voice vote:

All Ayes.                      Against: None                      Absent: None.

On motion of Mr. Manno, seconded by Mr. Ackerman, Report and Resolution No. 225 amending Resolution 99, 128 and 164 of 2017 Appointing Acting Director of Information Services was handed up; voted on and adopted by roll call vote:

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

Against: None                      Absent: None.

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

Legislator Schrader, Chairman Peplinski, and Legislator Ackerman.

At 8:22 on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, October 4, 2017 at 2:00 p.m.

Sally Deming, Clerk  
Herkimer County Legislature



## HERKIMER COUNTY LEGISLATURE

No. 199

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY PROBATION DEPARTMENT**

**Sponsored by: Committee on Public Safety/Emergency Management**

Your Committee on Public Safety/Emergency Management, to which was referred the Annual Report of the Herkimer County Probation Department for the year 2016, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 200

### **REPORT AND RESOLUTION ADOPTING UPDATED POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES AND PROFESSIONAL SERVICES PROCUREMENT POLICY**

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

WHEREAS, by letter dated August 26, 2017 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to adopt an updated Herkimer County Purchasing Policy for 2017; now, therefore, be it

RESOLVED, that the attached Policies for Procedures for Purchase of Goods and Services and Professional Services Procurement Policy be, and hereby are, adopted as the official policies of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to each department head in the County.

Dated: September 13, 2017.

**HERKIMER COUNTY  
POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES**

**I.** All contracts for public works involving an expenditure of more than Thirty-five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of more than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature, shall be awarded to the lowest responsible bidder as provided by Article 5-A of the General Municipal Law.

**II.** All contracts for public works involving an expenditure of less than Thirty-Five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of less than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature, shall be procured in compliance with the following procedures:

A. These procedures are adopted to assure the prudent and economical use of public money, and to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost and to guard against favoritism, extravagance, fraud and corruption.

B. The Purchasing Agent, and any other officer or employee of Herkimer County authorized to make or recommend purchase of goods and services, in cooperation with the Purchasing Agent, shall, in all appropriate cases, survey the marketplace to determine the probable cost of any goods and/or services required by the County. If it is deemed probable that the cost will exceed the aforesaid limits of \$20,000.00 and \$35,000.00 paragraph "F" shall control. In all other cases, these procedures shall be followed. The Purchasing Agent shall document action taken to make such determination when appropriate.

C. Dollar limits for purchase of goods and services are adopted as follows:

<b>DOLLAR LIMIT</b>	<b>PROCEDURE</b>
\$1 - \$2,000	At the discretion of the Purchasing Department.
\$2,001 - \$10,000	Documented verbal quotes from at least three separate vendors (if available) and consultation with the Purchasing Department to determine delivered or installed costs.

\$10,001-\$20,000 Documented written quotes from at least three separate vendors (if available) and consultation with the Purchasing Department and appropriate Committee of the Legislature, (to include State Contract Purchases) to determine delivered or installed costs.

Over \$20,000 Sealed bids in conformance with the General Municipal Law.

D. Dollar limits for purchase of public works are adopted as follows:

**DOLLAR LIMIT**

**PROCEDURE**

\$1 - \$2,000 At the discretion of Purchasing Department

\$2,001 - \$10,000 Documented verbal quotes from at least three separate sources (if available) and consultation with the Purchasing Department.

\$10,001 - \$35,000 Documented written quotes from at least three separate sources and consultation with the Committee of the Legislature involved.

Over \$35,000 Sealed bids in conformance with the General Municipal Law.

E. The above policies apply also to the Highway Department except that the requirement to consult with the Purchasing Department applies only to purchases requiring the specific authorization of the Legislature.

### **III. AWARDING PURCHASES**

- A. Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor providing the goods are of equal values.
- B. Use of alternative purchasing methods including NYS Contracts, Contracts of other New York State Municipalities, "Piggybacking" on other governmental contracts, federal contracts, cooperative purchasing, preferred source, sole source and emergency purchases shall be governed by the provisions of New York State General Municipal Law, Sections 103, 104 or 104-B or State Finance Law, Section 162 or other applicable provisions of law and properly documented.
- C. Best Value: The specific non-price criteria to be used for Best Value purchases must be detailed in the price solicitation and the analysis of the resulting quotes or bids using the specified criteria must be documented. The documentation should include cost benefit analysis where possible. Award for purchases can then be made to the bidder deemed to be the Best Value to the County with all of the aspects of the Purchasing Policy remaining the same, as per Herkimer County Local Law.

- IV. A. All purchases of goods or services (except transcription services, utilities, unscheduled repairs and otherwise authorized services) require a purchase order. Contracts up to \$10,000 may be signed by the department head provided all other purchasing policies, laws and resolutions of the Legislature are complied with and documented. All such contracts must be reviewed by Purchasing Department for compliance with Purchasing Policy prior to signing.

V. **PROFESSIONAL SERVICES PROCUREMENT POLICY**

Purchases of professional services, which are not required to be bid by State law, shall be governed by the following principles and practices:

- A. Contracts shall be executed for professional services, when appropriate, to delineate the services to be rendered and the method and amount of payment.
- B. Staff who seek approval to purchase professional services must seek to generate proposals to perform these services that are as appropriate to the County's needs and as cost-competitive as possible, by use of RFP's or RFQ's, etc. RFQ's may be used prior to RFP's or independently.
- C. The process to be followed in each new or renewal contract for professional services shall be proposed by the departmental staff person responsible for the services to the appropriate committee of the Legislature. The Purchasing Department must be copied (except for Highway fund requests) prior to consideration and approval by the appropriate Committee. The hiring of those professionals may be authorized by the appropriate committee up to \$10,000. The full Legislature must approve professional services over \$10,000 annually or if additional funds must be appropriated (such as with grants).
- D. Where alternative quotes or proposals are obtained, awards to an entity other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.
- E. For certain types of procurements of professional services, the solicitation of alternative proposals or quotations would not be in the best interest of the County, for example, highly specialized services for which the number of qualified and available professionals is limited. In those instances, the hiring of those professionals may be authorized by the appropriate committee up to \$10,000 annually. The full Legislature must approve the contract if over \$10,000 annually without alternative quotes or RFP's after presentation to the committee of the justification for such a determination with the appropriate documentation.
- F. Any and all procedures not specifically addressed in this policy shall be governed by Section 103 or 104-b of the General Municipal Law.

**VI.** Any purchases of goods or services from an employee of Herkimer County or an immediate family member must be approved by the appropriate committees of the Legislature in addition to all other requirements.

**VII.** The following employees are authorized to make general purchases for Herkimer County

(The list must be updated bi-annually):

S. Ferdula, Budget Officer/Purchasing Agent

P. Lumia, Deputy Purchasing Agent

M. Nagele, County Highway Superintendent

J. Lindholm, Deputy County Highway Superintendent

K. Enea, Treasurer (credit card only)





# HERKIMER COUNTY LEGISLATURE

No. 201

## REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2017 BUDGET

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

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated August 23, 2017 submitting a request for transfers of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers be made and offer the following Resolution:

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

**Transfer:**

\$7,399.87	From: CD6291.10000-001, TANF Salaries ET06-17 To: CD6291.10100-022, TANF Temporary ET06-17
\$146.67	From: CD6291.41000.160, TANF Supplies ET06-17 To: CD6291.10100-022, TANF Temporary ET06-17
\$284.72	From: CD6291.41000.160, TANF Supplies ET06-17 To: CD6291.81000.000, TANF Retirement ET06-17
\$209.27	From: CD6291.41000.160, TANF Supplies ET06 To: CD6291.83000.000, TANF FICA ET06-17
\$48.89	From: CD6291.41000.160, TANF Supplies ET06 To: CD6291.83500.000, TANF Medicare ET06-17
\$74.34	From: CD6291.41000.160, TANF Supplies ET06 To: CD6291.84000.000, TANF Workman's Comp ET06-17
\$55.30	From: CD6291.41000.205, TANF Printing ET06-17 To: CD6291.10100-022, TANF Temporary ET06-17
\$14.32	From: CD6291.44000.370, TANF Copier ET06-17 To: CD6291.10100-022, TANF Temporary ET06-17
\$65.00	From: CD6291.45000.000, TANF Physicals/Fees for Service ET06-17 To: CD6291.10100-022, TANF Temporary ET06-17
\$599.81	From: CD6291.46100.759, TANF Mileage ET06-17 To: CD6291.10100-022, TANF Temporary ET06-17
\$29,168	From: A3020A.23000, Proj EM06-1, Homeland Security Grant, Motor Vehicles To: A3020A.25000, Proj EM06-1, Homeland Security Grant, Other Equipment

and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 202

### REPORT AND RESOLUTION AUTHORIZING THE STATE DEPARTMENT OF TRANSPORTATION TO UTILIZE ROADS AND STREETS DURING CONSTRUCTION

**Sponsored by: Committee on Highways**

WHEREAS, by letter dated August 18, 2017 from Mark A. Nagele, P.E., County Highway Superintendent, a request is being made to authorize the State Department of Transportation to utilize roads and streets for detour purposes during construction; and

WHEREAS, the New York State Department of Transportation proposes to replace the New York State Route 169 over Stony Creek Bridge (Bridge Identification Number 1039050) in Town of Fairfield, Herkimer County; and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of construction: New York State Route 169, North Creek Rd. (D.R. 86), West End Rd. (C.R.7) and New York State Route 28; and

WHEREAS, the New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned roads and streets to make them adequate to handle additional detour traffic. The above mentioned roads and streets will be returned to the owners in the same condition prior to the detour being utilized; Now, therefore be it

RESOLVED, that the Herkimer County Legislature does hereby authorize the New York State Department of Transportation to utilize the above mentioned County owned roads and streets as detours during the period of construction; and, be it further

RESOLVED, that Herkimer County will continue to provide routine maintenance on the above mentioned County owned roads including snow and ice removal; and, be it further

RESOLVED, that the Clerk of the Herkimer County Legislature is hereby directed to transmit five (5) certified copies of this resolution to the State Department of Transportation.

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 203

### REPORT AND RESOLUTION AUTHORIZING THE STATE DEPARTMENT OF TRANSPORTATION TO UTILIZE ROADS AND STREETS DURING CONSTRUCTION

**Sponsored by: Committee on Highways**

WHEREAS, by letter dated August 18, 2017 from Mark A. Nagele, P.E., County Highway Superintendent, a request is being made to authorize the State Department of Transportation to utilize roads and streets for detour purposes during construction; and

WHEREAS, the New York State Department of Transportation proposes to rehabilitate the State Route 29A over East Canada Creek (BIN 1020740), in the Town of Stratford, Fulton County; and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads as detours during the period of construction: Herkimer County Route 130 (Emmonsburg Road), from NYS Route 29A to Fulton County Route 104, and Fulton County Route 104, from Herkimer County Route 130 (Emmonsburg Road) to NYS Route 29A; and

WHEREAS, the New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned roads and streets to make them adequate to handle additional detour traffic. The existing highway(s) will be returned to the owners in the same condition prior to activation of the detour;  
Now, therefore be it

RESOLVED, that the Herkimer County Legislature does hereby authorize the New York State Department of Transportation to utilize the above mentioned County owned roads and streets as detours during the period of construction; and, be it further

RESOLVED, that Herkimer County will continue to provide routine maintenance on the above mentioned County owned roads including snow and ice removal; and, be it further

RESOLVED, that the Clerk of the Herkimer County Legislature is hereby directed to transmit five (5) certified copies of this resolution to the State Department of Transportation.

Dated: September 13, 2017.



# HERKIMER COUNTY LEGISLATURE

No. 204

## REPORT AND RESOLUTION APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

**Sponsored by: Committee on Highways**

WHEREAS, your Committee on Highways, to which was referred the letter of Mark A. Nagele, P.E., County Superintendent of Highways, dated August 18, 2017 submitting three copies each of statements under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2017, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designates work to be done with County Road Fund monies be, and hereby is, approved by the County Legislature of the County of Herkimer for the following project involved in the Capital Construction Program, to be funded as listed:

project no.	road/location	TYPE OF PROJECT (SEE ARTICLE 6)	estimated cost
378	Spohn, Fishing Rock, Higby, Robinson, Jordanville, and Watkins Roads, County Roads 202/201/96/46/18/211 Towns of Warren, Schuyler, Columbia, Frankfort, Newport	Replacement and Repair of Existing Guide Rails	\$200,000.00

and, be it further

RESOLVED, that this project will be funded by CHIPS; and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 205

**REPORT AND RESOLUTION AUTHORIZING IMPLEMENTATION, AND FUNDING  
IN THE FIRST INSTANCE OF 100% OF THE FEDERAL AID AND STATE  
MARCHISELLI PROGRAM AID PROGRAM AND APPROPRIATING FUNDS  
THEREFORE – HIGBY ROAD CR 186-51-96, TOWN OF FRANKFORT, PROJECT 377**

**Sponsored by: Committee on Highways**

WHEREAS, a Project for the Higby Road rehabilitation (CR 186-51-96), Oneida County Line to State Route 5S (cold-in recycle with overlay), Herkimer County, P.I.N. 2STO.27 (the Project), Project 377, is eligible for funding under the Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Herkimer desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Project; now, therefore be it

RESOLVED, that the Herkimer County Legislature duly convened does hereby

RESOLVE, that the Herkimer County Legislature hereby approves the above-subject project; and, it is hereby further

RESOLVED, that the Herkimer County Legislature hereby authorizes the County of Herkimer to pay in the first instance 100% of the federal and non-federal share of the cost of The Project; or portions thereof; and it is further

RESOLVED, that the sum \$2,030,000.00 is hereby appropriated from the County Road Fund and made available to cover the cost of participation in the above phase of the project; and; be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Herkimer County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the department thereof; and, be it further

RESOLVED, that the Chairman of the Legislature of the County of Herkimer be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchieselli Aid on behalf of the County of Herkimer with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible; and, be it further

Page II

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, be it further

RESOLVED, this Resolution shall take effect immediately; and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 206

### REPORT AND RESOLUTION APPROVING AMENDMENT TO COURT SECURITY CONTRACT

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

WHEREAS, by Resolution No. 286 adopted on November 19, 2014 this Legislature authorized a five year contract for the period April 1, 2014 to March 31, 2015 with the New York State Office of Court Administration to obtain reimbursement for expenses incurred in providing court security; and

WHEREAS, said contract provides for renegotiations of the maximum reimbursement amount on an annual basis; and

WHEREAS, this Legislature has been advised by Sheriff Christopher P. Farber by letter dated August 23, 2017, that the Office of Court Administration has submitted an amendment of said contract covering the period from April 1, 2017 through March 31, 2018, with the maximum reimbursement not to exceed \$37,900; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a Court Security Contract Amendment with the Office of Court Administration for the period from April 1, 2017 through March 31, 2018, with the maximum reimbursement not to exceed \$37,900; 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: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 207

### REPORT AND RESOLUTION ACCEPTING GRANT FOR HOMELAND SECURITY FUNDING FOR SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated August 1, 2017, from Christopher P. Farber, Sheriff, this Legislature is advised of the receipt of a FY2017 SLETPP grant from the Department of Homeland Security in the amount of \$22,494.00; such grant has been submitted for purchase of a Portable License Plate Reader and which grant is under the Law Enforcement Terrorism Prevention Program; now

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign the contract with the New York State Office of Homeland Security to receive a FY2017 SLETPP grant through the Homeland Security Grant Program under the Law Enforcement Terrorism Prevention Program; and, be it further

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

Dated: September 13, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 208

### REPORT AND RESOLUTION AUTHORIZING EXECUTION OF ALTERNATIVES TO INCARCERATION CONTRACTS

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

WHEREAS, by communication dated August 2, 2017, Garry Murphy, Director of Probation, advises that the State of New York Division of Criminal Justice Services has approved the 2017-2018 Alternatives to Incarceration Plan and awards for the Pretrial Program and the Community Service Program in the amount of \$12,733.00, and requests authorization for the Chairman of the Legislature to execute by e-signature said contracts; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute and e-sign the annual contracts for the Pre-Trial and Community Service Programs for the period July 1, 2017 through June 30, 2018; 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 the New York State Division of Criminal Justice Services.

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 209

### REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF STARK TO PROVIDE ASSESSMENT SERVICES TO THE TOWN

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

WHEREAS, by letter dated August 14, 2017, Beth Sadlon, Director of the Real Property Tax Service Agency, has recommended to your Committee that a contract be renewed between the County of Herkimer and the Town of Stark whereby the County would provide assessment services to the Town for the sum of \$12.00 for each parcel on the final assessment roll for the Town; and

WHEREAS, it is the opinion of your Committee that it is to the mutual benefit of the County of Herkimer and the Town of Stark for the County of Herkimer to provide said assessment services to the Town; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement to provide assessment services to the Town of Stark for the period from October 1, 2017 through October 1, 2018, for the sum of \$12.00 for each parcel on the final assessment roll of the town, with the final form of said agreement to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Real Property Tax Services and the Town of Stark.

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 210

### REPORT AND RESOLUTION ACCEPTING GRANT AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING

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

WHEREAS, by letters dated July 26, 2017 and August 15, 2017 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) in the amount of \$5,300.00, which will be available to the local police departments that choose to participate, with the goal to reduce the number of crashes, injuries and deaths on New York's roads; and

WHEREAS, by letter dated August 15, 2017 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2017 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 2016-2017 in the amount of \$5,300.00 which will be available to the local police departments that choose to participate; 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 2017 Herkimer County Budget is hereby amended as follows:

Revenue:	A3315A.3389E, Impaired Driving Det., DWI Crackdown	From: \$9,124 To: \$14,424
Appropriations:	A3315A.44000, Impaired Driving Det., Contracted Services	From: \$13,378 To: \$18,678

and, be it further

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

Dated: September 13, 2017.



# HERKIMER COUNTY LEGISLATURE

No. 211

## REPORT AND RESOLUTION ACCEPTING GRANT, AMENDING BUDGET AND ESTABLISHING ACCOUNT FOR RECEIPT OF HOMELAND SECURITY FUNDING FOR COMMUNICATIONS SYSTEM COMPUTER AIDED DISPATCH SYSTEM

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

WHEREAS, by letter dated August 21, 2017, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of a request to accept grant funding and approve e-signature of the FY 2017 SHSP Homeland Security Grant in the amount of \$67,480.00, which will be used to enhance the Computer Aided Dispatch System at E-911; and

WHEREAS, by letter dated August 23, 2017, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested that Project EM02-11 be established for proper accounting of this funding and that the 2017 Budget to be amended as follows:

A3020A.3389G, Em. Mgt. HSG, State Aid, Project	From: \$0
	To: \$67,480
A3020A.25000, Em. Mgt. HSG, Other Equipment	From: \$0
	To: \$67,480.

now, therefore be it

RESOLVED, that this Legislature hereby accepts receipt of the FY 2017 SHSP Homeland Security Funding grant in the amount of \$67,480 for enhancement to the Herkimer County Communications Center Computer Aided Dispatch System, establishes Project EM02-11, amends the 2017 budget and authorizes the Chairman of the Legislature to e-sign the grant agreement; and, be it further

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

Dated: September 13, 2017.



# HERKIMER COUNTY LEGISLATURE

No. 212

## REPORT AND RESOLUTION AMENDING BUDGET AND ESTABLISHING ACCOUNT IN CONNECTION WITH GRANT FUNDING IN THE OFFICE OF EMERGENCY MANAGEMENT

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

WHEREAS, by Resolution No. 210 adopted on September 16, 2015, this Legislature authorized receipt of a FY2015 Emergency Management Performance Grant from the NYS Division of Homeland Security and Emergency Services in the amount of \$29,276; and

WHEREAS, by letter dated August 22, 2017, Sheri Ferdula, Budget Officer, has requested the 2017 Herkimer County Budget be amended and an account be established in connection with the receipt of said funding under said Grant; now, therefore, be it

RESOLVED, that Account EM06-2 is hereby established; and, be it further

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

Revenue:

A3020A.3389G, Em. Mgt. HSG, State Aid, Project

From: \$0

Expense:

A3020A.25000, Em. Mgt. HSG, Other Equipment

To: \$29,276

A3020A.22000, Em. Mgt. HSG, Computer Equipment

From: \$0

To: \$25,576

From: \$0

To: \$3,700

and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 213

### REPORT AND RESOLUTION ESTABLISHING PROJECT NUMBER AND AMENDING BUDGET FOR 2016 INTEROPERABLE GRANT

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

WHEREAS, by Resolution No. 157 of 2017, the Chairman of the Legislature was authorized to accept and sign the 2016 Interoperable Communications grant in the amount of \$637,534.00; and

WHEREAS, by letter dated August 22, 2017 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this legislature is advised that Project No. 19-2 be established for these funds and requests the 2017 budget be amended as follows:

Revenue:

H3097, State Aid, Gen Gov't Capital

From: \$0

Expense:

To: \$637,534

H3021.25000, Public Safety, Capital, Other Equipment

From: \$0

To: \$637,534

and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 214

### REPORT AND RESOLUTION AUTHORIZING AN AGREEMENT FOR TOWER SITE

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

WHEREAS, by letter dated August 21, 2017 from Matthew Palumbo, Director of Emergency Services, request is being made to enter into an agreement with Adaptable Commercial Properties for space rental at their Dutch Hill Communication Tower Site; and

WHEREAS, letter further states that Herkimer County is currently on a tower site for fire communications in the Town of Schuyler and by removing equipment from that location to the Dutch Hill site and adding a law enforcement transmitter, communications for both fire and police will improve throughout the southwest section of the county; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Adaptable Commercial Properties for space rental at their Dutch Hill Communication Tower site at a monthly cost of \$575.00 for a total of \$6,900.00 per year with such agreement subject to the County Attorney's office; and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 215

### **REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. 3 FOR POSITION CHANGES IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT**

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

WHEREAS, by letter dated August 22, 2017, Kristen Snyder-Branner, LCSW-R, Director of Community Services, has requested that the position of Social Worker Trainee be deleted and one full-time position of Psychiatric Social Worker be established in the 2017 Salary Schedule III; and

WHEREAS, your Committees have taken this matter under advisement and recommend said temporary change; now, therefore, be it

RESOLVED, that one full-time position of Social Worker Trainee in the 2017 Salary Schedule III is hereby deleted and one full-time position of Psychiatric Social Worker is hereby established at the base annual salary of \$56,821 effective 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: September 13, 2017.





## HERKIMER COUNTY LEGISLATURE

No. 216

### REPORT AND RESOLUTION AMENDING PART TIME SALARY SCHEDULE TO ESTABLISH POSITION IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

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

WHEREAS, by letter dated August 22, 2017, Kristen Snyder-Branner, LCSW-R, Director of Community Services, has requested that the part-time Salary Schedule be amended to establish a position of Psychiatric Nurse Practitioner at the hourly rate of \$65.00 per hour; and

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

RESOLVED, that one part-time position of Psychiatric Nurse Practitioner in the part-time Salary Schedule is hereby established at the hourly rate of \$65.00 per hour effective 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: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 217

### REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE STATE OF NEW YORK FOR FUNDING FOR EARLY INTERVENTION ADMINISTRATION PROGRAM

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

WHEREAS, by letter dated August 23, 2017, from Christina Cain, Director of Public Health, this Legislature is advised that the New York State Department of Health has submitted a contract providing for the renewal of the Early Intervention Administration Program grant in the total amount of \$25,806.00; and

WHEREAS, said agreement shall be effective for the term October 1, 2017 through September 30, 2018; and

WHEREAS, the County of Herkimer has qualified personnel, facilities and expertise to provide the services required under the terms of the agreement; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute said contract in form prepared by the State of New York, on behalf of the County of Herkimer for an Early Intervention Administration grant in the amount of \$25,806.00, with said grant to be for the period October 1, 2017 through September 30, 2018; 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 New York State Department of Health.

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 218

### **REPORT AND RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH CATHOLIC CHARITIES OF HERKIMER COUNTY AND THE DEPARTMENT OF SOCIAL SERVICES FOR A YOUTH VIOLENCE PREVENTION PROGRAM FOR SCHOOLS IN HERKIMER COUNTY**

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

WHEREAS, by Resolution No. 147 for the year 2010, this Legislature authorized a contract between Catholic Charities of Herkimer County and the Herkimer County Department of Social Services for the provision of the TREATY Program (Teaching Reconciliation in Education to Administrators, Teachers and Youth) in an effort to help reduce the threat of bullying and youth violence in local schools; and

WHEREAS, said contract has been renewed each year, the most recent being by Resolution No. 206 of 2016; and

WHEREAS, by letter dated August 16, 2017 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into an extension of said contract with Catholic Charities of Herkimer County, to provide said TREATY Program for the 2017-2018 school year, at a total contract cost of \$44,700; now, therefore, be it

RESOLVED, that this Legislature hereby approves an extension of a contract with Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of the TREATY Program for the 2017-2018 school year to help control the threat of youth violence in schools, at a cost of \$44,700; and, be it further

RESOLVED, that under this contract sufficient funds have been budgeted and all schools in Herkimer County will be invited to participate in said TREATY Program; 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 certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioner of Social Services, Executive Director of the Youth Bureau and Catholic Charities of Herkimer County.

Dated: September 13, 2017.

# HERKIMER COUNTY LEGISLATURE

No. 219

## RESOLUTION AMENDING RESOLUTION NO. 302 OF 2016 AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2017

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

WHEREAS, by Resolution No. 302 of 2016, this Legislature authorized the payment of dues for municipal officers and employees for the year 2017; and

WHEREAS, by letter dated August 21, 2017 from James M. Rathbun, Chief Plant Operator, this Legislature is advised of an increase in the dues amount for the 2017—2018 New York Water Environment Association Municipal Membership from \$420.00 to \$509.00; now, therefore be it

RESOLVED, that an increase in dues is authorized to be paid for the county officers and employees in those organizations specifically set forth below, which payments shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid:

<b>COUNTY OFFICER/EMPLOYEE</b>	<b>ASSOC. /ORGANIZATION</b>	<b>AMOUNT</b>
Supervisor – Sewer District Plant Operator	NYS Water Environment Federation (NYS Water Environment Association)	\$509.00

and, be it further

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

Dated: September 13, 2017



## HERKIMER COUNTY LEGISLATURE

No. 220

### REPORT AND RESOLUTION APPROVING LOAN FROM THE HERKIMER COUNTY SMALL CITIES REVOLVING LOAN FUND

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

WHEREAS, a request has been received from Stephen R. Smith, Executive Director of the Herkimer County Industrial Development Agency, dated August 30, 2017 requesting a loan from the Herkimer County Small Cities Revolving Loan Fund in the amount of \$25,000 to Bartlett Excavating; and

WHEREAS, your Committees have examined said matter and recommend the approval of a loan from said funds as set forth in the communication dated August 30, 2017 from Stephen Smith, Executive Director of the Herkimer County Industrial Development Agency; now, therefore, be it

RESOLVED, that this Legislature approves a loan to be made from the Herkimer County Small Cities Revolving Loan Fund to Bartlett Excavating, in the amount of \$25,000, which will assist with the proposed business expansion, to include purchase of an existing building and renovation, said loan to be for a term of seven years, at an interest rate of 3%; and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 221

### RESOLUTION APPROVING CONSOLIDATION OF VITAL STATISTICS REGISTRAR DISTRICTS

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, the Town Board of the Town of Winfield adopted a Resolution on August 9, 2017 approving the consolidation of the Town and Village of West Winfield into one primary Vital Statistics Registration District; and

WHEREAS, the Village of West Winfield adopted a Resolution on August 14, 2017 approving the consolidation; and

WHEREAS, Section 4120 of the Public Health Law requires the approval of the legislative body of the county where such districts are located; now, therefore be it

RESOLVED, that the Herkimer County Legislature hereby approves the consolidation of the Town of Winfield and Village of West Winfield Vital Statistics Registration Districts into one District; and be it further

RESOLVED, that certified copies be forwarded to the Town of Winfield and Village of West Winfield.

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 222

### REPORT AND RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH THE WORKERS' COMPENSATION BUYOUT

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

WHEREAS, by letter dated August 28, 2017, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested an appropriation in connection with a Workers' Compensation buyout; and

WHEREAS, your committees have approved this request and approve the following appropriation of funds for this purpose; now, therefore be it

RESOLVED, that an appropriation of funds be approved as follows:

\$21,000 From: A1990.46000 Contingent Fund, Miscellaneous Expense

To: A1710.44000 Workers' Compensation, Contracted Services

and, be it further

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

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 223

### RESOLUTION SETTING PUBLIC HEARING PURSUANT TO NYS EMINENT DOMAIN PROCEDURE LAW

**Sponsored by: Committee on Public Safety/Emergency Management**

WHEREAS, the Herkimer County Legislature has approved and authorized bonding for construction of a new Herkimer County Correctional Facility on a parcel of land located on New York State Route 28 in the Village of Herkimer at the former P & C site, including land acquisition and site improvement pursuant to Resolution Number 41 passed on February 10, 2011; and

WHEREAS, the parcels to be acquired are located in the Village of Herkimer and Town of Herkimer, having tax map parcel numbers 113.65-2-5 and 113.65-2-6 in the Village of Herkimer and parcel number 113.1-11 in the Town of Herkimer, consisting in total of approximately 26.9 acres; and

WHEREAS, the acquisition of the above parcels from the property owner, RAG Herkimer, Limited Liability Company, is necessary to accomplish the construction of a new Herkimer County Correctional Facility; and

WHEREAS, acquisition of the above parcels from the property owner may be either by purchase or by proceedings under the Eminent Domain Procedure Law; and

WHEREAS, Eminent Domain Procedure Law requires that the County of Herkimer as Condemnor hold a Public Hearing prior to acquisition of private property from a property owner by eminent domain in order to inform the public and to review the public use to be served by the proposed project and the impact on the environment and residents of the locality where such project will be constructed; and

WHEREAS, Eminent Domain Procedure Law Article 2, sets forth certain procedural requirements for Notice to the public and the conduct of Public Hearings; now, therefore be it

RESOLVED, that a Public Hearing will be held before the Herkimer County Legislature on October 11, 2017 at 7:00 p.m., to be conducted by the Committee on Public Safety/Emergency Management in the Legislative Chambers of the County Office Building, 109 Mary Street, Herkimer, New York; and, be it further



RESOLVED, that at least 10 but no more than 30 days prior to such Public Hearing, the Clerk of the Legislature shall give notice to the public of the purpose, time, and location of the hearing setting forth the proposed location of the public project, including any proposed alternate locations by causing such notice to be published in at least 5 successive issues in the official newspaper of Herkimer County, The Times-Telegram Newspaper; and, be it further

RESOLVED, that the County of Herkimer shall serve by personal service or certified mail return receipt requested, notice of the purpose, time and date and location of the hearing to each assessment record billing owner or his or her attorney of record of tax map parcel numbers 113.65-2-5 and 113.65-2-6 in said Village of Herkimer and parcel number 113.1-11 in the Town of Herkimer pursuant to Eminent Domain Procedure Law Article 2.

RESOLVED, that the Clerk of the Legislature place a copy of said Public Hearing Notice on the desk of each of the members of the County Legislature at least seven calendar days, exclusive of Sunday, prior to its adoption;

Dated: September 13, 2017.



## HERKIMER COUNTY LEGISLATURE

No. 224

### **RESOLUTION SUPPORTING STATEWIDE BALLOT PROPOSAL NUMBER #3 TO ADDRESS PUBLIC HEALTH AND SAFETY CONCERNS FOR USE BY TOWNS, VILLAGES, AND COUNTIES**

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, Statewide Ballot Proposal #3 would allow towns, villages and counties to use Forest preserve land to address bridge hazards or safety on specified highways, to eliminate dangerous curves and grades on specified highways, to relocate, reconstruct and maintain highways and for water wells and necessary related accessories in certain situations; and

WHEREAS, that proposal would also allow for the construction of public utility lines and bicycle paths where such highways traverse forest preserve land, with the creation of a land account of up to 250 acres to replace any lands so used; and

WHEREAS, such actions would eliminate time consuming and costly bureaucratic processes for completing important road maintenance, county utility installation and bicycle path projects in the Adirondacks; now, therefore be it

RESOLVED, that the Herkimer County Legislature supports Ballot Proposal No. 3; and, be it further

RESOLVED that certified copies of this Resolution shall be forwarded to NYSAC, Adirondack Inter-County and Western Inter-County.

Dated: September 13, 2017.