

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
First Quarter – First Day
Wednesday, January 4, 2017
2:00 p.m.**

The First Quarterly Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 2:00 p. m. and Chairman Peplinski wished all a very Happy New Year.

Chairman Peplinski called on James Rathbun 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).

Absent: None.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of December 14, 2016. There were none, and the Chairman ordered them approved.

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

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

No. 1 – A communication was received from the Office for Aging Advisory Council expressing appreciation for the annual breakfast and for donations to the meals on wheels program from the annual Legislature Christmas auction. Placed on file.

No. 2 – A communication was received from the Director, Real Property Tax Services – Submitting request for County Auditor to process refunds and tax corrections for 2015 that are \$2,500 or less. Referred to the Committee on Ways and Means

No. 3 – A communication was received from Senator Seward – Advising that state legislation for 1 ¼% sales tax shall expire in 2017. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means.

No. 4 – A communication was received from the County Treasurer submitting request for designation of depositories of county funds for 2017. Referred to the Committee on Ways and Means

No. 5 – A communication was received from the Director, Office for Aging requesting renewal of contract under Title III E Caregiver Support Program. Referred to the Committee on Human Resources and the Committee on Ways and Means

No. 6 – A communication was received from the Director of Public Health requesting renewal of contract for receipt of Immunization Action Plan grant. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 7 – A communication was received from the Budget Officer submitting recommendation in connection with receipt of funding for Immunization Action Plan. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 8 – A communication was received from the Commissioner of Social Services requesting contracts with agencies in connection with Flexible Funds for Family Services Plan. Referred to the Committee on Ways and Means and the Committee on Human Resources.

No. 9 – A communication was received from the Director of Public Health requesting renewal of contract in connection with receipt of funding for Early Intervention Administration Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 10 - A communication was received from the Executive Director, Youth Bureau, requesting a two year contract with Center for Family Life and Recovery for services of Integrated County Planning Strategic Coordinator. Referred to the Committee on County Planning and Development and the Committee on Ways and Means

No. 11- 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. 12 – A communication was received from the Commissioner of Social Services requesting contract for provision of services under Managed Long Term Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 13 – A communication was received from the Budget Officer submitting recommendation for award of contract for provision of laboratory services for the Herkimer County Sewer

District. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 14 – A communication was received from Cornell Cooperative Extension of Herkimer County submitting Annual Report for 2016. Placed on file.

No. 15 – A communication was received from the Director Of Community Services requesting amendment of electronic records management contract. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 16 – A communication was received from the Commissioner of Social Services requesting contract with three municipalities for Codes enforcement in connection with temporary housing regulations. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 17 – A communication was received from the County Administrator submitting request for agreement with City of Little Falls concerning sales tax payments. Referred to the Committee on Ways and Means.

No. 18 – A communication was received from the Personnel Officer advising of recommendation for appointment to Director of Weights and Measures position. Referred to the Committee on Natural Resources.

No. 19 – A communication was received from Assemblyman Marc Butler acknowledging receipt of Resolution No. 280. Placed on file.

No. 20 – A communication was received from the Sewer Board submitting resolution for approval of Legislature. Referred to the Committee on Natural Resources and the Committee on Ways and Means. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. .

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 1 sponsored by the Committee on Ways and Means as regards designation of depositories of county funds for the year 2017 was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Weakley, seconded by Mr. Bono, Report and Resolution No. 2 sponsored by the Committee on Ways and Means authorizing County Auditor to process Real Property Tax Refund applications and correct errors on tax rolls was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 3 sponsored by the Committee on Committee on Ways and Means and the Committee on Human Resources 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 (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 4 sponsored by the Committee on Ways and Means and the Committee on Human Resources authorizing contract with State of New York for funding for Early Intervention Administration Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 5 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing renewal of contract with New York State Dept. of Health for Immunization Action Plan and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 6 sponsored by the Committee on Natural Resources and the Committee on Ways and Means awarding bid for chemical for Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 7 sponsored by the Committee on Natural Resources and the Committee on Ways and Means awarding contract for laboratory services for the Herkimer County Sewer District was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 8 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing contract with Center for Family Life and Recovery for services of Integrated County Planning Strategic Coordinator was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Markwardt, seconded by Mr. Schrader, Report and Resolution No. 9 sponsored by the Committee on Human Resources and the Committee on Ways and Means concerning services for the Department of Social Services Long Term Care Program was handed up; voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 10 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contracts in connection with Flexible Funds for Family Services Plan (formerly known as Temporary Assistance for Needy Families-TANF) in the Department of Social Services was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 11 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contracts with the Village of Ilion, the Village of Herkimer and the Town of Herkimer for codes enforcement was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Malta, seconded by Mr. Ackerman, Report and Resolution No. 12 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 183 of 2014, as amended by Resolution No. 311 of 2014, Resolution No. 67 of 2015, Resolution No. 184 of 2015 and Resolution No. 18 of 2016 authorizing agreement for electronic medical records system for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 13 sponsored by the Committee on Ways and Means regarding a contract dealing with the sales tax payments made to the City of Little Falls in July and October 2016 was handed up; discussion was held; was 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. Shaw, Report and Resolution No. 14 sponsored by the Committee on Natural Resources making provisional appointment of Director of Weights and Measures was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

Mr. Weakley expressed appreciation for the appointment.

On motion of Mr. Schrader, seconded by Mr. Shaw, Resolution No. 15 that the Times Telegram be designated as official newspaper of the County of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Russell, Resolution No. 16 sponsored by the Committee on County Planning and Development reappointing member to the Oneida-Herkimer Solid Waste Management Authority was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Shaw, Resolution No. 17 sponsored by the Committee on Ways and Means and the Committee on Administration/Veterans' Affairs requesting legislation authorizing the extension of the additional sales and compensating use tax was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

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

At 2:20 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, January 25, 2017 at 7:30 p.m.

Carole LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 1

REPORT AND RESOLUTION AS REGARDS DESIGNATION OF DEPOSITORIES OF COUNTY FUNDS FOR 2017

Sponsored by: Committee on Ways and Means

RESOLVED, that the County Legislature of the County of Herkimer does hereby designate the following banks for the deposits of all monies received by the Herkimer County Treasurer, to wit:

M & T Bank	25,000,000.00
NBT	1,000,000.00
Key Bank	1,500,000.00
Adirondack Bank	35,000,000.00
JP Morgan Chase	3,000,000.00
Berkshire Bank	1,000,000.00
Community Bank	6,000,000.00

and, be it further

RESOLVED, that the County Treasurer be, and she hereby is, authorized, empowered and directed to enter into an agreement with each of the said banks for and on behalf of and in the name of the County Legislature of the County of Herkimer, fixing rates of interest to be paid on the monies so deposited; and, be it further

RESOLVED, that before any monies be deposited in any bank, the County Treasurer accept from such bank either a depository bond in some good and solvent surety company or in lieu of such bond, bonds or certificates of the United States, of the State of New York, or any county, city and town of the State of New York, including bonds or certificates, and shall be deposited in a safe deposit box or safe deposit boxes by said County Treasurer in the name of the County of Herkimer or a properly executed certificate of escrow as authorized under the Laws of the State of New York, which certificate is approved by the County Attorney; and the County Treasurer is hereby authorized and directed to enter into a collateral agreement with said banks, which agreement is to be first approved by the County Attorney; and, be it further

RESOLVED, that this Resolution be, and hereby is, made effective to and including December 31, 2017; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Attorney, County Clerk and the above named depositories.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 2

REPORT AND RESOLUTION AUTHORIZING COUNTY AUDITOR TO PROCESS REAL PROPERTY TAX REFUND APPLICATIONS AND TO CORRECT ERRORS ON TAX ROLLS

Sponsored by: Committee on Ways and Means

WHEREAS, Section 556 (8) of the Real Property Tax Law authorizes this Legislature to delegate, by resolution, to an appropriate official who is either empowered to authorize payment of bills without prior audit by this Legislature or to an official responsible for the payment of bills upon audit by this Legislature to perform the duties set forth in said section related to the refund of taxes, when the refund recommended by the Director of Real Property Tax Service is less than \$2,500.00; and

WHEREAS, Section 554 (9) of the Real Property Tax Law authorizes this Legislature to, by resolution, delegate the authority to perform corrections of errors in the tax roll to an appropriate official who is either empowered to authorize payment of bills without prior audit by this Legislature or to an official responsible for the payment of bills upon audit by this Legislature, provided said correction is \$2,500 or less; and

WHEREAS, by letter dated November 28, 2016, the Director of the Real Property Tax Service Agency has requested approval for said procedures for the year 2017; now, therefore, be it

RESOLVED:

1. That pursuant to Real Property Tax Law Section 556(8) the County Auditor is hereby authorized to perform the duties set forth in Section 556 of the Real Property Tax Law for the Legislature to perform, when the refund recommended by the Director of Real Property Tax Services is \$2,500 or less;
2. That pursuant to Real Property Tax Law Section 554(9) the County Auditor is hereby authorized to perform the duties set forth in Section 554 of the Real Property Tax Law when the recommended correction is \$2,500 or less;
3. That the County Auditor, in performing such duties, shall be governed by the provisions of Real Property Tax Section 554 and Section 556 and shall make reports to the Legislature as provided in said Sections;
4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Director of Real Property Tax Services.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 3

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH RESOURCE CENTER FOR INDEPENDENT LIVING IN CONNECTION WITH TITLE III CAREGIVER SUPPORT PROGRAM

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

WHEREAS, by letter dated December 13, 2016, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with the Resource Center for Independent Living (RCIL) to provide a Social Adult Day option to caregivers of clients who meet the eligibility requirements for respite services, at a cost of \$105.00 per day, with said contract to be from January 1, 2017 through December 31, 2017; and

WHEREAS, funding for this contract will be 90/10% federally funded, with no overmatch; now, therefore, be it

RESOLVED, that this Legislature hereby approves a contract with the Resource Center for Independent Living (RCIL), 409 Columbia Street, PO Box 210, Utica, New York 13503, for the provision of adult day care respite services under the Title III, Caregiver Support Program of the Herkimer County Office for the Aging, for the period January 1, 2017 through December 31, 2017, with services to be provided at the rate of \$105.00 per day; 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; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and the Resource Center for Independent Living (RCIL).

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 4

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 December 19, 2016, 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, 2016 through September 30, 2017; 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, 2016 through September 30, 2017; 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: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 5

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

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

WHEREAS, by communication dated December 14, 2016, Christina Cain, Director of Public Health, has advised that the New York State Department of Health has forwarded a contract for renewal of the grant agreement for the Immunization Action Plan for the period from April 1, 2017 through March 31, 2018, with the contract amount being \$32,259.00; and

WHEREAS, by letter dated December 14, 2016 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2017 Budget in connection with the receipt of the amount of \$32,259.00 under said grant; now, therefore, be it

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

Revenue Account:	A4189A-4489A-PH06-13	From:	\$0
		To:	\$32,259
Expense Account:	A4189A-10000-001 PH06-13	From:	\$0
		To:	\$22,794
	A4189A-41000-PH06-13	From:	\$0
		To:	\$650
	A4189A-44000-521-PH06-13	From:	\$0
		To:	\$2,000
	A4189A-46000-678-PH06-13	From:	\$0
		To:	\$900
	A4189A-46100-PH06-13	From:	\$0
		To:	\$200
	A4189A-81000-PH06-13	From:	\$0
		To:	\$3,000
	A4189A-83000-PH06-13	From:	\$0
		To:	\$800
	A4189A-83500-PH06-13	From:	\$0
		To:	\$200
	A4189A-85000-PH06-13	From:	\$0
		To:	\$120
	A4189A-86000-PH06-13	From:	\$
		To:	\$1,595

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a renewal of the contract between the County of Herkimer and the New York State Department of Health to receive \$32,259.00 in funding for the Immunization Action Plan for the period April 1, 2017 through March 31, 2018; and, be it further

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

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 6

REPORT AND RESOLUTION AWARDING BID FOR CHEMICALS FOR THE HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, your Committees have been advised by communication from Sheri Ferdula, Budget Officer, dated December 14, 2016 that sealed bids were received, opened and read in accordance with law for the provision of Polymer for the Herkimer County Sewer District; and

WHEREAS, said letter further advises that it is the recommendation of the Chief Plant Operator at the Sewer District that the bid be awarded to Clean Waters of Plessis, New York, who was the lowest bidder meeting the minimum specifications, as follows: \$2.14 per pound for CP655; \$2.49 per pound for CP555; now, therefore, be it

RESOLVED, that this Legislature hereby awards a bid for the provision of Polymer for the Herkimer County Sewer District as follows:

Clean Waters	\$2.14 per pound for CP655
26808 County Route 3	\$2.49 per pound for CP555
Plessis NY 13675	

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 Clean Waters.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 7

REPORT AND RESOLUTION AWARDING CONTRACT FOR LABORATORY SERVICES FOR THE HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, by letter dated December 14, 2016, the Budget Officer/Purchasing Agent has advised that requests for proposals were received for the provision of laboratory services for the Herkimer County Sewer District; and

WHEREAS, by letter dated December 27, 2017, this Legislature is advised that by action on September 21, 2016, the Herkimer County Sewer District Board adopted a resolution awarding a contract to Life Science Laboratories of East Syracuse, New York, in the amount of \$24,819.40, who met the minimum specifications with the lowest price, and said resolution has been forwarded to the Herkimer County Legislature for approval prior to its becoming effective; now, therefore, be it

RESOLVED, that a contract for the provision of laboratory services for the Herkimer County Sewer District be awarded to Life Science Laboratories, 5854 Butternut Drive, East Syracuse, NY 13057, in the amount of \$24,819.40; 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 Life Science Laboratories.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 8

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH CENTER FOR FAMILY LIFE AND RECOVERY FOR SERVICES OF INTEGRATED COUNTY PLANNING STRATEGIC COORDINATOR

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

WHEREAS, by letter dated December 13, 2016, from Regina Giacobelli, Executive Director of the Herkimer County Youth Bureau, this Legislature is advised of a request to enter into a two year contract with the Center for Family Life and Recovery, for the services of the Integrated County Planning Strategic Coordinator; and

WHEREAS, said contract will be in the amount of \$47,751.00 for the period January 1, 2017 through December 31, 2017, and in the amount of \$49,153.00 for the period January 1, 2018 through December 31, 2018, with shared funding being provided by the Herkimer County Youth Bureau, Department of Social Services, and with Mental Health Services funding 20% through a separate contract; now, therefore, be it

RESOLVED, that this Legislature hereby approves a two year contract in the amount of \$47,751.00 for the period January 1, 2017 through December 31, 2017 and in the amount of \$49,153.00 for the period January 1, 2018 through December 31, 2018, with the Center for Family Life and Recovery, Inc., 502 Court Street, Suite 401, Utica, NY 13502 for the provision of services of the Integrated County Planning Strategic Coordinator; and, be it further

RESOLVED, that said contract shall be subject to the review and 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, Executive Director of the Herkimer County Youth Bureau and the Center for Family Life and Recovery.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 9

REPORT AND RESOLUTION CONCERNING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES LONG TERM CARE PROGRAM

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

WHEREAS, by letter dated December 12, 2016, Timothy Seymour, Commissioner of Social Services, has advised that the Managed Long Term Care unit provides a variety elderly services to Medicaid eligible individuals with an overall goal to provide services to individuals allowing them to safely remain in their own home and thus avoiding the high cost of placement in a skilled nursing facility; and

WHEREAS, said letter further requests that an agreement be entered into with American Medical Alert Corp. d/b/a Tunstall America for the purpose of establishing a personal emergency response system for eligible individuals under said program, with Tunstall to bill the Medicaid program directly at rates established by the New York State Department of Health; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with American Medical Alert Corp. d/b/a Tunstall America, 36-36 33rd Street, Suite 103, Long Island City, NY 11106, for the purpose of establishing personal emergency response systems for eligible individuals under the Department of Social Services Managed Long Term Care Program, with Tunstall to bill the Medicaid program directly at rates established by the New York State Department of Health, and with said contract to be subject to review and approval by 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 and American Medical Alert Corp. d/b/a Tunstall America.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 10

REPORT AND RESOLUTION 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

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

WHEREAS, by letter dated December 12, 2016 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 2016-17; and

WHEREAS, Herkimer County will receive federally allocated grant funding in connection with the implementation of the Flexible Funds for Family Services Plan, and in addition, capped Title XX and open-ended child welfare funding remain in place for the period; and

WHEREAS, said letter further requests that contracts be entered into with the following agencies for the implementation of the aforesaid programs; 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, 502 Court Street, Suite 401, Utica, NY 13502, in the amount of \$37,080, 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 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 \$47,810;

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 502 Court St., Suite 401, 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. Kids Oneida, 310 Main St. Utica, NY 13501 – Family Reunification/Readiness Assessment and Return Home Early/Service Provision for Individual Needs (SPIN) to provide service under a coordinated system of care to address the prevention of residential placement, and expedite identified children's return home from such placement and also to include an additional menu of services (SPIN) to be used on an as needed basis for existing Herkimer County cases, with said contract not to exceed a combined total of \$237,536 annually; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute contracts with the following agencies under Title XX funding:

1. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$38,500 to provide non-residential services to eligible clients and their families who are victims of domestic violence;
2. Kids Oneida, 310 Main Street, Utica, NY 13501, in the amount not to exceed \$137,917 to provide intensive preventive services on a continuous basis for families with children at risk for out-of-home placement into the highest level of institutional care;
3. Kids Oneida, 310 Main Street, Utica, NY 13501, to provide voluntary court-ordered parenting/nurturing skills classes for parents in various states of child welfare services, with said contract not to exceed \$27,250; 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 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 11

REPORT AND RESOLUTION TO AUTHORIZE CONTRACTS WITH THE VILLAGE OF ILION, THE VILLAGE OF HERKIMER AND THE TOWN OF HERKIMER FOR CODES ENFORCEMENT

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

WHEREAS, by letter dated December 13, 2016, from Timothy Seymour, Commissioner of Social Services, he has advised that the State of New York has adopted rules requiring inspections of hotels and motels used for temporary housing; and

WHEREAS, those rules will require inspections once every 6 months to determine compliance with applicable state and local laws, regulations, codes, and ordinances, and also to review certain health related arrangements, with a written report of each inspection submitted to the New York State Office of Temporary and Disability Assistance; and

WHEREAS, he further advises that it is necessary to enter into agreements with three municipalities and their respective codes offices retaining jurisdiction over the hotels and motels used for temporary housing, specifically in the Villages of Ilion and Herkimer and the Town of Herkimer; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts with the Villages of Ilion and Herkimer and the Town of Herkimer for above described inspections at a cost of \$25.00 per completed inspection, and with said contracts 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, Commissioner of Social Services, the Village of Ilion, the Village of Herkimer and the Town of Herkimer.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 12

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 183 OF 2014 AS AMENDED BY RESOLUTION NO. 311 OF 2014, RESOLUTION NO. 67 OF 2015, RESOLUTION NO. 184 OF 2015 AND RESOLUTION NO. 18 OF 2016 AUTHORIZING AGREEMENT FOR ELECTRONIC MEDICAL RECORDS SYSTEM FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by Resolution No. 183 duly adopted on July 2, 2014, this Legislature authorized an agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, New York 14051, for the provision of an electronic medical records system at a cost of \$65,100, and ongoing technical support services at a cost of \$10,000 for the remainder of 2014; and

WHEREAS, by Resolution No. 311 adopted on December 17, 2014 by Resolution No. 67 adopted on March 18, 2015, by Resolution No. 184 adopted on August 12, 2015 and by Resolution No. 18 adopted on January 20, 2016 said contract was amended for additional costs; and

WHEREAS, by letter dated December 15, 2016 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request for an additional amendment of said contract up to an amount of \$2,102.52 to add one additional user, which represents a one-time fee of \$1,314.00 and a recurring annual cost of \$788.52; now, therefore, be it

RESOLVED, that the agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, NY 14051, pursuant to Resolution No. 183 of 2014, as amended by Resolution No. 311 of 2014, Resolution No. 67 of 2015, Resolution No. 184 of 2015, and Resolution No. 18 of 2016 is hereby amended to include an additional amendment of said contract up to an amount of \$2,102.52 to add one additional user; and, be it further

RESOLVED, the Chairman of this Legislature is hereby authorized to execute said contract amendment, 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 Information Services, Director of Community Services and TenEleven Group Incorporated.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 13

REPORT AND RESOLUTION REGARDING A CONTRACT DEALING WITH THE SALES TAX PAYMENTS MADE TO THE CITY OF LITTLE FALLS IN JULY AND OCTOBER 2016

Sponsored by: Committee on Ways and Means

WHEREAS, it has been discovered that the County of Herkimer had been making overpayments to various municipalities in the County of the three percent (3%) sales tax distribution; and

WHEREAS, after discovery of the overpayments the City of Little Falls requested that the County of Herkimer temporarily continue making payments to the City in the mistaken higher amount for budgetary reasons; and

WHEREAS, by letter dated December 21, 2016, James W. Wallace, Jr., County Administrator, has advised that a proposed agreement has been reached regarding the repayment of any such temporary overpayments which were made in July and October of 2016; now, therefore, be it

RESOLVED, that it is hereby agreed that the City of Little Falls shall repay to the County of Herkimer the sum of \$62,863.13 representing an overpayment of \$29,207.89 in July of 2016 and \$33,655.24 in October of 2016, to be repaid by the City to the County over ten (10) years in equal quarterly installments of \$1,571.58, with that amount to be deducted from the quarterly payment made by the County to the City for its portion of the three percent (3%) sales tax distribution, beginning with the April 2017 payment, with no interest; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign such agreement, 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, County Attorney and the City of Little Falls.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 14

REPORT AND RESOLUTION MAKING PROVISIONAL APPOINTMENT OF DIRECTOR OF WEIGHTS AND MEASURES

Sponsored by: Committee on Natural Resources

BE IT RESOLVED, that Bruce Weakley, PO Box 474, Poland, New York, is hereby appointed on a provisional basis, effective January 5, 2017, as Director of Weights and Measures for Herkimer County, at the base salary listed in Salary Schedule I, and to serve until an appointment is made pursuant to the Civil Service Law; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, New York State Department of Agriculture and Markets and Bruce Weakley.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 15

RESOLUTION THAT THE TIMES TELEGRAM BE DESIGNATED THE OFFICIAL NEWSPAPER OF THE COUNTY OF HERKIMER FOR THE YEAR 2017

RESOLVED, that this Legislature names the *Times Telegram*, as the official newspaper of the County of Herkimer, and that that paper have published therein all legal notices, local laws and other matters required to be published.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 16

RESOLUTION RELATIVE TO REAPPOINTMENT OF MEMBER TO THE ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY

Sponsored by: Committee on County Planning and Development

RESOLVED, that James Franco, 105 Delaware Ave., Herkimer, New York, be and he hereby is, reappointed as a representative of Herkimer County on the Oneida-Herkimer Solid Waste Management Authority for a five year term to expire December 31, 2021; 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 Management Authority and James Franco.

Dated: January 4, 2017.



HERKIMER COUNTY LEGISLATURE

No. 17

RESOLUTION REQUESTING LEGISLATION AUTHORIZING THE EXTENSION OF THE ADDITIONAL SALES AND COMPENSATING USE TAX

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

WHEREAS, the Legislature of the State of New York adopted and the Governor signed into law as Chapter 286 of the Laws of 2015 authorizing the County of Herkimer to extend the imposition of an additional One and One Quarter Percent (1 ¼%) sales and compensating use tax for the period beginning December 1, 2015 and ending November 30, 2017; and

WHEREAS, in order for this additional sales and compensating use tax to be extended, new legislation by the Legislature of the State of New York shall be required; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby requests its Assemblymen and Senators to introduce into the New York State Legislature bills which would seek a two year extension and amendment of the statutory authorization for Herkimer County to impose an additional 1 ¼% sales and compensating use tax, with the new period to commence December 1, 2017, and with the additional ¼% to be dedicated to the costs of the construction and financing of a new correctional facility; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator James L. Seward, Senator James Tedisco, Assemblyman Marc W. Butler, Assemblyman Brian D. Miller and Assemblyman Anthony J. Brindisi.

Dated: January 4, 2017.