(PLEASE NOTE: Full Resolutions are attached following minutes)

MINUTES
Herkimer County Legislature
Third Quarter – Fifth Day
Wednesday, September 10, 2014
7:30 p.m.

Public Hearing

The Public Hearing on Introductory Local Law No. 2 for 2014 was called to order at 7:15 p.m. by Patrick E. Russell, Chairman of the Ways and Means Committee. The Clerk read the notice of the meeting. Mr. Russell then asked if there was anyone wishing to speak on the local law. There were no requests to speak and the hearing was declared closed at 7:17 p.m.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that there has been presented to the County Legislature of the County of Herkimer, State of New York, on the 13th day of August, 2014, Introductory Local Law No. 2 for the year 2014 entitled, "A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER".

NOTICE IS FURTHER GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the aforesaid proposed Local Law, to be conducted by the Committee on Ways and Means at the Legislative Chambers in the County Office Building, Herkimer, New York, on the 10th day of September, 2014 at 7:15 p.m. at which time all persons interested will be heard.

Dated: September 4, 2014.

By Order of the Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 7:37 p. m.

Chairman Bono called on Legislator Dennis Korce to lead the Legislature in the Pledge of Allegiance.

Mr. Bono requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County.

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

Present: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Rose (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of August 13, 2014. There were none, and the Chairman ordered them approved.

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

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

No. 252 – A communication was received from Linda Eykelhoff expressing appreciation for the appointment of Robert Grose to serve as alternate on the Adirondack Park Local Government Review Board. Placed on file.

No. 253 – A communication was received from the Director of Real Property Tax Services requesting renewal of contract with the Town of Stark to provide assessment services. Referred to the Committee on Ways and Means

No. 254 – A communication was received from the Sheriff submitting monthly report for June. Referred to the Committee on Public Safety and Emergency Management.

No. 255 – A communication was received from the Oneida Herkimer Solid Waste Authority advising of Regional Demolition Program. Placed on file.

No. 256 – A communication was received from Cornell Cooperative Extension submitting program highlights for April, May and June. Placed on file.

No. 257 – A communication was received from the Soil and Water Conservation District submitting minutes of 7/8/14. Placed on file.

No. 258 – A communication was received from HealthNet, Inc. expressing appreciation for advance of funding and submitting reimbursement. Placed on file.

No. 259 – A communication was received from the Budget Officer requesting budget amendment in connection with Crime Victim Services Grant. Referred to the Committee on Public Safety/Emergency Management and Ways and Means.

No. 260 – A communication was received from the Commissioner of Social Services requesting permission to apply for Juvenile Justice Grant. Referred to the Committee on Human Resources.

No. 261 – A communication was received from the Director of Probation requesting permission to apply for Juvenile Justice Grant. Referred to the Committee on Public Safety and Emergency Management.

No. 262 – A communication was received from the County Treasurer requesting extension contract for preparation of audit. Referred to the Committee on Ways and Means.

No. 263 – A communication was received from the County Clerk submitting her Annual Report for 2013. Referred to the Committee on Administration/Veterans' Affairs.

No. 264 – A communication was received from the Sheriff requesting staffing adjustment for part-time Hearing Officer. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 265 – A communication was received from the State Department of Agriculture and Markets advising of eight year review anniversary for Agricultural District No. 4. Referred to the Committee on Natural Resources.

No. 266 - A communication was received from ProAct, Inc. submitting report of County Discount Prescription Card for July. Placed on file.

No. 267 – A communication was received from the Budget Officer submitting request for budget amendment in connection with receipt of incentive funding award for Public Health Nursing Service. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 268 – A communication was received from the Budget Officer submitting request for budget amendment in connection with funding for Childhood Lead Poisoning Prevention Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 269 – A communication was received from the Budget Officer submitting request for budget amendment, transfer of funds and contract with Mohawk Valley Community Action. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 270 – A communication was received from the County Administrator submitting request for amendment of resolution, transfer and contract for weatherization implementation. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 271 – A communication was received from the Budget Officer submitting request for transfer of funds. Referred to the Committee on Ways and Means.

No. 272 – A communication was received from the Budget Officer submitting request from Herkimer Police Department for donation of items from Country Manor no longer necessary for public use. Referred to the Committee on County Properties.

No. 273 – A communication was received from the County Highway Superintendent requesting renewal of agreements with towns for snow and ice removal from county roads. Referred to the Committee on Highways.

No. 274 – A communication was received from the Director of Probation requesting a staffing change. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 275 – A communication was received from D'Arcangelo and Co. submitting audit for year ended 12/31/2013. Placed on file

No. 276 – A communication was received from the Budget Officer recommending contract for bids for gas and electric fixed pricing. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 277 – A communication was received from the Sewer District submitting resolution for funding of Project. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 278 – A communication was received from the County Treasurer requesting renewal of contract with D'Arcangelo and Co. for preparation of audits. Referred to the Committees on Ways and Means.

No. 279 – A communication was received from the Budget Officer submitting report of sealed bids received for sale of Country Manor premises. Referred to the Committee on Ways and Means and the Committee on County Properties.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Mr. Russell advised that the Ways and Means Committee will be meeting beginning next Friday and each Friday thereafter until the 2015 budget is prepared and added that everyone will be working very hard to bring the budget in line.

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

For: Ayes (16).

Against: None.

Absent: Rose (1).

Consent Agenda:

218 ADMIN./VET. AFFAIRS: Annual Report of County Clerk
219 WAYS & MEANS: Transferring funds
220 WAYS & MEANS: Authorizing extension of contract with Town Of Stark to provide Assessment Services

Chairman Bono continued with Reports and Resolutions and Resolutions.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 221 of the Committee on Ways and Means adopting Introductory Local Law No. 2 for 2014 was handed up; discussion was held; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Rose (1).

On motion of Mr. Peplinski, seconded by Mr. Ackerman, Report and Resolution No. 222 of the Committee on Public Safety/Emergency Management approving monthly report of the Sheriff was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: Schrader, Johnson, Stephens (3)

Absent: Rose (1).

On motion of Mr. Smith, seconded by Mr. Peplinski, Report and Resolution No. 223 of the Committee on Human Resources and the Committee on Ways and Means authorizing renewal of contract for funding of Childhood Lead Poisoning Prevention Screening Services was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Stephens, seconded by Mr. Peplinski, Report and Resolution No. 224 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means amending budget in connection with Crime Victim Services Grant for District Attorney's Office was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No. 225 of the Committee on County Properties approving donation of items from Country Manor was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Smith, seconded by Mr. Johnson , Report and Resolution No. 226 of the Committee on Human Resources and the Committee on Ways and Means amending budget in connection with receipt of Local Health Department Performance Incentive Initiative Award was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Smith, seconded by Mr. Luppino, Report and Resolution No. 227 of the Committee on Public Safety/Emergency Management and the Committee on Human Resources authorizing application for funding from New York State Division of Juvenile Justice and Opportunities for Youth was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Peplinski, seconded by Mr. Stephens, Report and Resolution No. 228 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means amending Resolution No. 280 of 2013 adjusting wages for hourly employees was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Rose (1).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 229 of the Committee on Ways and Means amending Resolution No. 325 of 2013 authorizing contracts with non-profit organizations for the year 2014 and transferring funds was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Weakley, seconded by Mr. Smith, Report and Resolution No. 230 of the Committee on Highways authorizing agreements with Local Governments for removal of snow and ice and the sanding and salting of county roads was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Luppino, Report and Resolution No. 231 of the Committee on Ways and Means and the Committee on Public Safety/Emergency Management for staffing change in Probation Department was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Rose (1).

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 232 of the Committee on Ways and Means accepting proposal of D'Arcangelo & Co., LLP to perform audit was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Johnson, seconded by Mr. Luppino, Report and Resolution No. 233 of the Committee on County Properties and the Committee on Ways and Means authorizing sale of former Country Manor premises was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Rose (1).

On motion of Mr. Shaw, seconded by Mr. Wellington, Resolution No. 234 of the Committee on Natural Resources and the Committee on Ways and Means authorizing the issuance of $1,900,000 bonds of the County of Herkimer, New York, to pay a portion of the cost of an increase and improvement of facilities of the Herkimer County Sewer District in and for said County was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Rose (1).

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

At 7:45 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, October 1, 2014 at 2:00 p.m.