(PLEASE NOTE: Full Resolutions are attached following minutes)

MINUTES
Herkimer County Legislature
First Quarter – First Day
Wednesday, January 7, 2015
2:00 p.m.

The First Quarterly Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 2:00 p. m.

Chairman Bono called on Brittney Cotton, Secretary to the County Administrator, to lead the Legislature in the Pledge of Allegiance.

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

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

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

Absent: Rose, Korce (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of December 17, 2014. There were none, and the Chairman ordered them approved.

Chairman Bono dispensed with the regular session to allow for the presentation of a proclamation in recognition of the 90th Anniversary of the New York State Association of Counties, which is an organization that Herkimer County belongs to. Chairman Bono stated the proclamation would be forwarded to NYSAC and added that Herkimer County appreciates and supports NYSAC and all the work they do for their member counties.

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. 1 – A communication was received from ProAct, Inc. submitting report of Discount Prescription Card for November. Placed on file.

No. 2 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting 2015 budget. Placed on file

No.3 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting minutes and recently adopted resolutions. Placed on file.

No. 4 – A communication was received from the Budget Officer requesting transfer of funds. Referred to the Committee on Ways and Means.

No. 5 – A communication was received from Nathan Mack submitting resignation from the Herkimer County Planning Board. Referred to the Committee on County Planning and Development.

No. 6 – A communication was received from the Sheriff requesting renewal of agreement with Black Creek Integrated Systems. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 7 – A communication was received from the Director of the Office for the Aging requesting renewal of contract with dietician. Referred to the Committee on Human Resources and the Committee on Ways and Means

No. 8 – A communication was received from the Personnel Officer requesting an agreement for an Employee Assistance Program. Referred to the Committees on Ways and Means.

No. 9 – A communication was received from the Soil and Water Conservation District recommending reappointment of Linda Coffin to the Soil and Water Conservation District Board. Referred to the Committee on Natural Resources.

No. 10 – A communication was received from the Personnel Officer requesting establishment of voluntary sick leave bank for non-union county employees who are part of the county's time and attendance policy. Referred to the Committee on Ways and Means.

No. 11 – A communication was received from the Budget Officer requesting a contract for additional asbestos removal. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 12 – A communication was received from the Chairman of the Legislature concerning membership on the County Planning Board. Referred to the Committee on County Planning and Development.

No. 13 – A communication was received from the Director of Emergency Services requesting acceptance of 2014 PSAP Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Bernard Peplinski, Chairman of the Committee on County Planning and Development, stated he wished to recognize the individuals being appointed to various boards at the meeting and to thank them for volunteering their time to serve. Patrick Russell, Chairman of the Committee on Ways and Means, stated that although the budget season is over, it starts again now and encouraged everyone to be mindful of all expenditures.

On motion of Mr. Weakley, seconded by Mr. Russell, Report and Resolution No. 1 of the Committee on Ways and Means as regards designation of depositories of county funds for the year 2015 was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 2 of the Committee on Ways and Means transferring funds in 2014 budget was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 3 of the Committee on Committee on Ways and Means authorizing an agreement with the Center for Family Life and Recovery, Inc. for Employee Assistance Program was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Russell, seconded by Mr. Smith and Mr. Peplinski, Report and Resolution No. 4 of the Committees on Ways and Means and Human Resources authorizing agreement for services of dietician in the Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Smith, seconded by Mr. Peplinski, Report and Resolution No. 5 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means

approving renewal of agreement for Sallyport Inmate Management System at the Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Hyde, seconded by Mr. Weakley, Report and Resolution No. 6 of the Committee on County Properties and the Committee on Ways and Means awarding contract for Asbestos removal and floor replacement was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 7 of the Committee on County Planning and Development confirming membership to the Herkimer County Planning Board was handed up; was voted on and adopted by voice vote:

For: Ayes (14).

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

Abstain: Stephens (1).

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 8 of the Committee on Ways and Means establishing voluntary sick leave bank for non-union county employees was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Peplinski, seconded by Mr. Ackerman, Report and Resolution No. 9 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with receipt of Homeland Security Funding was handed up; voted on and adopted by voice vote:

For: All ayes (15).

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

On motion of Mr. Hyde, seconded by Mr. Brezinski, Resolution No. 10 of the Committee on Administration/Veterans' Affairs reappointing County Administrator was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

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

Mr. Wallace expressed his appreciation for the reappointment and commended the department heads, staff and auxiliary agencies for their support and team work.

On motion of Mr. Hyde, seconded by Mr. Wellington, Resolution No. 11 of the Committee on Natural Resources reappointing Directors of the Herkimer County Soil and Water Conservation District was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Luppino, seconded by Mr. Stephens, Resolution No. 12 of the Committee on Natural Resources reappointing Director to the Herkimer County Soil and Water Conservation District was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Ackerman, seconded by Mr. Shaw, Resolution No. 13 designating officials newspapers of the County of Herkimer for 2015 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Manno, seconded by Mr. Johnson, Resolution No. 14 of the Committee on Education and the Committee on Ways and Means authorizing solar power purchase agreement was handed up; discussion was held; Mr. Manno offered an amendment, seconded by Mr. Shaw, to add an additional Resolved Clause as follows: That said agreement is subject to final approval by the Ways and Means Committee with the advice of the County Attorney. The amendment was approved by voice vote:

For: Ayes (15).

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

The resolution, as amended, was adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Hyde, seconded by Mr. Shaw, Resolution of the Committee on Natural Resources authorizing Chairman of the Legislature to sign and establish Dog Quarantine for 2015 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. Chairman Bono requested County Attorney Malone to give an update on the Quackenbush lawsuit. Mr. Malone advised that the Appellate Division has ruled that the county has properly canceled its tax lien and will not be responsible for paying any of the water bills; and that the Village can proceed with an action against the IDA. There were no further comments by legislators.

At 2:45 p.m. on motion of Mr. Manno, seconded by Mr. Hyde, the Legislature adjourned to Wednesday, January 28, 2015 at 7:30 p.m.