(PLEASE NOTE: Full Resolutions are attached following minutes)

MINUTES
Herkimer County Legislature
First Quarter – Third Day
Wednesday, February 18, 2015
7:30 p.m.

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

Chairman Bono called on Lindsey Boyle, reporter for the Utica OD, 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: Schrader, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Absent: Luppino, Rose, Wellington (3).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of January 28, 2015. There were none, and the Chairman ordered them approved.

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

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

No. 37 – A communication was received from the Soil and Water Conservation District submitting minutes of 1/13/15. Placed on file.

No. 38 – A communication was received from the Commissioner of Elections submitting 2014 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 39 – A communication was received from the Director of the Office for the Aging submitting 2014 Annual Report. Referred to the Committee on Human Resources.

No. 40 – A communication was received from the Director of the Real Property Tax Service Agency submitting 2014 Annual Report. Referred to the Committee on Ways and Means.

No. 41 – A communication was received from the Director of Weights & Measures submitting 2014 Annual Report. Referred to the Committee on Natural Resources.

No. 42 – A communication was received from the Budget Officer submitting request for transfer of funds from Sewer District. Referred to the Committee on Ways and Means.

No. 43 – A communication was received from the Director of Real Property Tax Service Agency requesting assessment fee changes. Referred to the Committee on Ways and Means.

No. 44 – A communication was received from the Budget Officer submitting request for budget amendment for Youth Violence Prevention Program. Referred to the Committee on Ways and Means.

No. 45 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 46 – A communication was received from the Personnel Officer requesting changes to County Smoking Policy. Referred to the Committee on Ways and Means.

No. 47 – A communication was received from the Commissioner of Social Services submitting request from Mary Sullivan for extension of leave of absence. Referred to the Committee on Ways and Means.

No. 48 – A communication was received from the Director of Community Services requesting a staffing change in the Mental Health Services Department. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 49 – A communication was received from the Department of State advising of the receipt and filing of Local Law No. 1 for 2015. Placed on file.

No. 50 – A communication was received from the Herkimer County Sewer District Board submitting a resolution for the Legislature's approval. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 51 – A communication was received from Assemblyman Butler acknowledging receipt of resolution seeking per capita distribution of economic development funding. Placed on file.

No. 52 – A communication was received from Assemblyman Butler acknowledging receipt of resolution requesting extension of one and one quarter percent sales tax. Placed on file.

No. 53 – A communication was received from the Director of Community Services submitting January activities update of Mental Health Services. Placed on file.

No. 54 – A communication was received from Senator Seward acknowledging receipt of resolution concerning Upstate Revitalization Program. Placed on file.

No. 55 – A communication was received from the Herkimer County Soil and Water Conservation District submitting 2014 Annual Report. Placed on file.

No. 56 – A communication was received from the County Clerk submitting report of Examiner and an Audit received from the State Comptroller – Police Property Room Inventory. Referred to the Committee on Public Safety/Emergency Management.

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

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

For: Ayes (14).

Against: None.

Absent: Luppino, Rose, Wellington (3).

Consent Agenda:

37 NAT. RESOURCES: Adopting Annual Report of Director of Weights and Measures
38 WAYS & MEANS: Approving Annual Report of Real Property Tax Office
39 HUMAN RES.: Adopting Annual Report of Office for the Aging
40 ADMIN./VET. AFFAIRS: Adopting Annual Report of Board of Elections

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 41 of the Committee on Ways and Means transferring funds was handed up; was voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 42 of the Committee on Ways and Means and the Committee on Human Resources for staffing change in the Herkimer County Mental Health Services Department was handed up; voted on and adopted by roll call vote:

For: Schrader, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Hyde, seconded by Mr. Schrader, Report and Resolution No. 43 of the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District Resolution authorizing transfer of funds in connection with Belt Press Replacement Project was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Stephens, seconded by Mr. Russell, Report and Resolution No. 44 of the Committee on Ways and Means amending Budget in connection with funding for Youth Violence Prevention Program was handed up;

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Ackerman, seconded by Mr. Hyde, Report and Resolution No. 45 of the Committee on Ways and Means adopting Herkimer County Smoking & Tobacco Use Policy was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 46 of the Committee on County Properties and the Committee on Ways and Means canceling delinquent tax lien was handed up; was voted on and adopted by roll call vote:

For: Schrader, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 47 of the Committee on Ways and Means authorizing change in fees for assessment services by the Herkimer County Real Property Tax Service Agency was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Korce, seconded by Mr. Smith, Report and Resolution No. 48 of the Committee on Ways and Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Shaw, seconded by Mr. Schrader, Report and Resolution No. 49 of the Committee on County Properties and the Committee on Ways and Means endorsing the concept of a six-county land bank was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Stephens, seconded by Mr. Hyde, Resolution No. 50 of the Committee on Public Safety/Emergency Management and the Committee on Administration/Veterans Affairs supporting legislation to repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 was handed up; was voted on and adopted by voice vote:

For: Ayes (14).

Against: None. Absent: Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Shaw, seconded by Mr. Johnson, Report and Resolution No. 51 of the Committee on Ways and Means providing exemptions from sales and compensating use taxes for receipts from sales of commercial energy systems equipment and installation services was handed up; was voted on and adopted by voice vote:

For: Schrader, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 52 of the Committee on Administration/Veterans' Affairs opposing sale or closure of Historic Camp Russell was handed up; voted on and adopted by voice:

For: Ayes (14).

Against: None. Absent: Luppino, Rose, Wellington (3).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. Chairman Bono thanked Lindsey Boyle, reporter for the Utica OD, and wished her well in her next endeavor.

On 7:40 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, March 18, 2015 at 7:30 p.m.