(PLEASE NOTE: Full Resolutions are attached following minutes)

MINUTES
Herkimer County Legislature
First Quarter – Fourth Day
Wednesday, March 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 Donal Moynihan 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Absent: Rose, Hyde (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 February 18, 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. 57 – A communication was received from ProAct, Inc. submitting county prescription discount card report for January. Placed on file.

No. 58 – A communication was received from the Senator Seward acknowledging receipt of county resolution requesting repeal of SAFE Act. Placed on file.

No. 59 – A communication was received from the Budget Officer requesting renewal of contract with Office of Court Administration for reimbursement of court cleaning expenses. Referred to the Committee on Ways and Means.

No. 60 – A communication was received from the Director of Community Services requesting reimbursement of one-half cost of malpractice insurance for Dr. Patil for services provided at the County Correctional Facility. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 61 – A communication was received from Ilion Library expressing appreciation for the county's allocation. Placed on file.

No. 62 – A communication was received from the Sheriff submitting his 2014 Annual Report. Referred to the Committee on Public Safety and Emergency Management.

No. 63 – A communication was received from the County Auditor submitting refunds of taxes made for January under $2,500. Referred to the Committee on Ways and Means.

No. 64 – A communication was received from the Budget Officer submitting request for an appropriation in connection with county snow contracts. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 65 – A communication was received from the New York State Association of Counties acknowledging receipt of the county's resolution concerning the Upstate Revitalization Program. Placed on file.

No. 66 – A communication was received from the Director of Real Property Tax Services requesting renewal of contract for provision of assessment services for Town of Webb. Referred to the Committee on Ways and Means.

No. 67 – A communication was received from the Budget Officer submitting recommendation for award of excavator for Highway Department. Referred to the Committee on Ways and Means.

No. 68 – A communication was received from the Director of Probation requesting approval of continuation of Alternatives to Incarceration Plan contracts. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 69 – A communication was received from the Budget Officer concerning renewal of contract with Catholic Charities. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 70 – A communication was received from the Director of the Office for the Aging requesting renewal of contract with Catholic Charities for HIICAP. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 71 – A communication was received from the Director of Community Services requesting amendment of contract for electronic medical records system. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 72 –A communication was received from the Director of the Office for the Aging requesting renewal of contract in connection with EISEP Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 73 – A communication was received from the Budget Officer recommending award of bid for transport trailer for Highway Department. Referred to the Committee on Highways.

No. 74 – A communication was received from the Budget Officer submitting the 2014 Annual Report of the Purchasing Department. Referred to the Committee on Ways and Means.

No. 75 – A communication was received from the County Highway Superintendent requesting contract amendment for construction engineering services on Dockey Road over Crum Creek Bridge Project. Referred to the Committee on Highways.

No. 76 – A communication was received from the County Highway Superintendent requesting approval of change order on construction services agreement for Creek Road Bridge over Nowadaga Creek Project. Referred to the Committee on Highways.

No. 77 – A communication was received from the Budget Officer concerning Alternatives to Incarceration Service Plan contracts. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 78 – A communication was received from the Budget Officer submitting recommendation for award of bids for Meals on Wheels for West Winfield area. Referred to the Committee on Human Resources and Ways and Means.

No. 79 – A communication was received from National Grid submitting Semi-Annual PCB Report. Placed on file.

No. 80 – A communication was received from the Director of the Office for the Aging requesting agreement with Department of Social Services in connection with Balance Incentive Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 81 – A communication was received from the Budget Officer concerning agreement between the Office for the Aging and the Department of Social Services for implementation of Balance Incentive Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 82 – A communication was received from the Budget Officer submitting recommendation for award of bid for Communications Tower. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 83 – A communication was received from the Director of Emergency Services recommending award of bid for Communications Tower on Barker Road, Town of Stark. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 84 – A communication was received from the Budget Officer concerning additional expense in connection with amendment of contract for electronic medical records in Herkimer County Mental Health Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 85 – A communication was received from the Soil and Water Conservation District submitting minutes of 2/10/15. Placed on file.

No. 86 – A communication was received from the Republican Election Commissioner advising of appointment of Deputy Commissioner of Elections. Placed on file.

No. 87 – A communication was received from the Director of Real Property Tax Services requesting renewal of contract to provide assessment services to the Town of Frankfort. Referred to the Committee on Ways and Means.

No. 88 – A communication was received from the Commissioners of Elections requesting extension of Voter Education Grant. Referred to the Committee on Administration/Veterans' Affairs.

No. 89 – A communication was received from the New York State Department of Transportation advising of pavement project. Placed on file.

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 (15).

Against: None.

Absent: Rose, Hyde (2).

Consent Agenda:

53 WAYS & MEANS: Annual Report of Purchasing Agent for 2014
54 PUB. SFTY./EMER. MGMT.: Annual Report of Sheriff
55 HUMAN RES., WAYS & MEANS: Authorizing Renewal of Contract
State Dept. of Health for Immunization Action Plan and Amending Budget

56 WAYS & MEANS: Authorizing extension of contract with Town of Danube To provide Assessment Services

57 WAYS & MEANS: Extending contract with Town of Frankfort to provide Assessment Services

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 58 of the Committee on Human Resources and the Committee on Ways and Means authorizing reimbursement for professional liability insurance to Mental Health consultant was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Peplinski, seconded by Mr. Schrader, Report and Resolution No. 59 of the Committee on Ways and Means and the Committee on Human Resources awarding contract for meals on wheels and congregate meals programs for the West Winfield area was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Johnson, seconded by Mr. Shaw, Report and Resolution No. 60 of the Committee on Human Resources and the Committee on Ways and Means concerning services in connection with the Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Stephens, seconded by Mr. Luppino, Report and Resolution No. 61 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means awarding bid for new communications tower was handed up; voted on and adopted by voice vote;

For: Ayes (15).

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

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 62 of the Committee on Ways and Means and the Committee on Human Resources authorizing contract

between Office for Aging and Department of Social Services in connection with Balance Incentive Program was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Weakley, seconded by Mr. Peplinski, Report and Resolution No. 63 of the Committee on Highways and the Committee on Ways and Means making appropriation of funds in connection with county snow removal contracts was handed up; discussion was held; was voted on and adopted by roll call vote:

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

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

On motion of Mr. Korce, seconded by Mr. Brezinski, Report and Resolution No. 64 of the Committee on Highways authorizing change order on contract for engineering services in connection with Creek Road over Nowadaga Creek Bridge Replacement Project was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Luppino, seconded by Mr. Stephens, Report and Resolution No. 65 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing execution of Alternatives to Incarceration contracts was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 66 of the Committee on Ways and Means and the Committee on Human Resources authorizing contract renewal for HIICAP funding for the Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

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

For: Ayes (15).

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

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 68 of the Committee on Highways awarding bid for purchase of equipment for Highway Department was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Luppino, seconded by Mr. Weakley and Mr. Brezinski, Report and Resolution No. 69 of the Committee on Highways awarding bid for purchase of equipment for Highway Department was handed up; voted on and adopted by voice:

For: Ayes (15).

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

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 70 of the Committee on Ways and Means and the Committee on Public Safety/Emergency Management in connection with contract with New York State Office of Court Administration to provide cleaning and minor repairs of court facilities was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 71 of the Committee on Administration/Veterans' Affairs extending contract for grant for Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Weakley, seconded by Mr. Peplinski, Report and Resolution No. 72 of the Committee on Highways authorizing amendment of contract for engineering services in

connection with Dockey Road over Crum Creek Bridge Replacement Project was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Stephens, seconded by Mr. Johnson, Resolution No. 73 of the Committee on County Properties appointing Building Maintenance Foreperson was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

Donal Moynihan stated he appreciated the appointment and would serve in his position to the best of his ability.

On motion of Mr. Shaw, seconded by Mr. Russell, Resolution No. 74 of the Committee on Administration/Veterans Affairs and the Committee on Ways and Means authorizing Home Rule Request was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Shaw, seconded by Mr. Korce, Resolution No. 75 of the Committee on Natural Resources setting date for Notice of Public Review of Agricultural District No. 4 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Ackerman, seconded by Mr. Shaw, Resolution No. 76 of the Committee on County Planning and Development and the Committee on Administration/Veterans Affairs opposing Part W of the Governor's Proposed 2015 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Russell, seconded by Mr. Peplinski, Resolution No. 77 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing the filing of consolidated application with the New York State Department of Transportation for fiscal years 2015-2016 Federal Section 5311 Grant for the Rural and

Nonurbanized Transportation Service in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion Mr. Luppino, seconded by Mr. Shaw, Resolution No. 78 of the Committee on Administration/Veterans' Affairs and the Committee on Public Safety/Emergency Management urging New York State to fund Probation Departments 100% for costs related to Raising the Age of Criminal Responsibility to 18 Years was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Wellington, seconded by Mr. Shaw, Resolution No. 79 of the Committee on Administration/Veterans' Affairs and the Committee on Public Safety/Emergency Management setting public hearing on Introductory Local Law No. 1 for 2015 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

On motion of Mr. Shaw, seconded by Mr. Peplinski, Resolution No. 80 of the Committee on Administration/Veterans' Affairs authorizing revision of resolution format was handed up; voted on and adopted by voice vote:

For: Ayes (15).

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

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

Mr. Peplinski made a motion, seconded by Mr. Ackerman, to change the date for the next County Legislature meeting from April 1, 2015 to April 8, 2015 at 2:00 p.m. The motion was approved by voice vote:

For: Ayes (15).

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

Further comments were made by Chairman Bono, Legislator Shaw and Legislator Brezinski.

At 7:55 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, April 8, 2015 at 2:00 p.m., with a public hearing on Introductory Local Law No. 1 for 2015 at 1:45 p.m.