(PLEASE NOTE: Full Resolutions are attached following minutes)

MINUTES
Herkimer County Legislature
Second Quarter – First Day
Wednesday, April 8, 2015
2:00 p.m.

Public Hearing

The Public Hearing on Introductory Local Law No. 2 for 2015 was called to order at 1:45 p.m. by Bernard Peplinski, Jr., Chairman of the Public Safety/Emergency Management Committee. The Deputy Clerk read the notice of the meeting. Mr. Peplinski then asked if there was anyone wishing to speak on the local law. There was one request to speak (Vincent Szabo of Freehold, NY) and the hearing was declared closed at 1:49 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 18th day of March, 2015, Introductory Local Law No. 1 for the year 2015 entitled, "A LOCAL LAW ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405".

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 Public Safety and Emergency Management at the Legislative Chambers in the County Office Building, Herkimer, New York, on the 8th day of April, 2015 at 1:45 p.m., at which time all persons interested will be heard.

Dated: March 31, 2015.

By Order of the Herkimer County Legislature

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

Chairman Bono called on former Sheriff Dan Reardon, 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, Rose, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Absent: None.

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 March 18, 2015. There were none, and the Chairman ordered them approved.

Chairman Bono dispensed with the regular session to allow for the presentation of two proclamations and called on Legislator Raymond Smith to make the presentation, as well as Samantha Madderon from the YWCA of the Mohawk Valley to accept the proclamations, which proclaim the month of April as "Sexual Assault Awareness Month" and "Child Abuse and Neglect Prevention Month".

Chairman Bono then called on Legislator John Brezinski to make a presentation of a proclamation. Mr. Brezinski called upon Nancy and Bob Wilson to accept a proclamation on behalf of their son proclaiming April 9, 2015 as "Scott Wilson Day" in Herkimer County. James Wallace, County Administrator read the proclamation. Mr. Brezinski gave background on this individual and his many accomplishments, highlighting his work with the NASA space center. Matthew Penella presented a certificate for Scott Wilson on behalf of Governor Andrew Cuomo.

Mr. Russell requested that it be entered into the record a proclamation he recently presented on behalf of the County Legislature to the Town of Webb School's Boys Alpine Ski Team in recognition of their winning the state championship.

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. 90 – A communication was received from the Soil and Water Conservation District submitting minutes of the 3/10/15 meeting. Placed on file.

No. 91 – A communication was received from Assemblyman Butler acknowledging receipt of resolution endorsing six-county land bank. Placed on file

No. 92 – A communication was received from Assemblyman Butler acknowledging receipt of resolution calling for repeal of SAFE Act. Placed on file.

No. 93 – A communication was received from NYSAC acknowledging receipt of resolution calling for repeal of SAFE Act. Placed on file.

No. 94 – A communication was received from the County Highway Superintendent submitting the 2014 Annual Report of the Highway Department. Referred to the Committee on Highways.

No. 95 – A communication was received from the Budget Officer requesting budget amendment in connection with receipt of funding for Youth Violence Prevention Program. Referred to the Committee on County Planning and Department and the Committee on Ways and Means.

No. 96 – A communication was received from the Herkimer County Sewer District submitting recommendation from Town of German Flatts for reappointment of representative to Sewer Board. Referred to the Committee on Natural Resources.

No. 97 – A communication was received from the Budget Officer requesting budget amendment in connection with receipt of funding for Ebola Preparedness and response activities. Referred to the Committee on Human Resources and the Committee on Ways and Means

No. 98 – A communication was received from the Budget Officer requesting transfer of funds in Employment & Training Administration. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 99 – A communication was received from the STOP-DWI Coordinator submitting the 2014 Annual Report of the STOP-DWI Program. Referred to the Committee on Public Safety/Emergency Management.

No. 100 - A communication was received from the Herkimer County Sewer District submitting a resolution for approval of the Legislature Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 101 – A communication was received from the Director of Community Services requesting agreement with Bassett Hospital in connection with Mohawk Valley Participating Provider System. Referred to Committee on Human Resources and Committee on Ways and Means.

No. 102 – A communication was received from the Director of Community Services submitting February/March activities update. Placed on file.

No. 103 – A communication was received from the Commissioner of Social Services in connection with funding for co-location collaboration of Behavioral Health and Child Protective Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 104 – A communication was received from the Director of Emergency Services requesting acceptance of Mutualink Deployment System. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 105 – A communication was received from the E & T Director requesting office space permit agreement with Bassett Hospital. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 106 – A communication was received from the Chairman of the Legislature advising of being out of town and authorizing Vice-Chairman to preside over any meeting and sign any documents.

No. 107 – A communication was received from the Commissioners of Elections requesting amendment of laundry list for 2015. Referred to the Committee on Administration and Veterans Affairs and the Committee on Ways and Means.

No. 108 – A communication was received from the Budget Officer submitting recommendation for award of bus service to Old Forge for Summer Youth Employment Program. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 109 – A communication was received from the County Administrator requesting application for grant for feasibility study for Schuyler Industrial Park sewer project. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 110 – A communication was received from the Budget Officer requesting closeout of accounts and transfer of funds in Sewer District Budget. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 111 – A communication was received from the Budget Officer recommending award of bid for countywide copier service. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 112 – A communication was received from the Budget Officer requesting permission to advertise for bids for shuttle service to Old Forge area. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

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

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

Consent Agenda:

81 HIGHWAYS: Annual Report of Superintendent of Highways
82 PUB. SFTY./EMER. MGMT.: Annual Report of STOP-DWI Program
83 NAT. RESOURCES: Designating Member to Sewer Board

Chairman Bono welcomed the students present who are participating in the Cornell Cooperative Extension government intern program, to state their name and what school they are representing.

On motion of Mr. Hyde, seconded by Mr. Peplinski, Report and Resolution No. 84 sponsored by the Committee on Administration/Veterans Affairs and the Committee on Public

Safety/Emergency Management adopting Introductory Local Law No. 1 of 2015 was handed up; was voted on and adopted by roll call vote:

For: Luppino, Rose, Schrader, Wellington, Johnson, Stephens, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None. Absent: None.

On motion of Mr. Russell, seconded by Mr. Hyde, Report and Resolution No. 85 sponsored by the Committee on Committee on Ways and Means transferring funds in 2015 budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Peplinski, seconded by Mr. Russell, Report and Resolution No. 86 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means amending budget in connection with funding for Youth Violence Prevention 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. Brezinski, Report and Resolution No. 87 sponsored by the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District resolution in connection with closeout of accounts and transfer of funds 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. 88 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contract with New York State Department of Health for Ebola Preparedness and Response Activities Grant and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Peplinski, seconded by Mr. Johnson, Report and Resolution No. 89 authorizing Office Space Permit Agreement with Mary Imogene Bassett Hospital d/b/a Bassett

Medical Center at the Working Solutions Career Center was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Smith, seconded by Mr. Ackerman, Report and Resolution No. 90 sponsored by the Committee Human Resources and the Committee on Ways and Means authorizing participation in the Mohawk Valley Participating Provider System 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. Hyde, Report and Resolution No. 91 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means amending Resolution No. 330 and No. 331 of 2014 authorizing attendance at conferences and payment of dues during the year 2015 for the Commissioner of Elections Department 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. Peplinski, Report and Resolution No. 92 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means awarding bid for bus service for Old Forge Area Transportation Program for the 2015 Summer Youth Employment Program was handed up; discussion was held; Mr. Korce made a motion, seconded by Mr. Ackerman, for the participants who use this service to contribute $1.00 per trip. After further discussion, Mr. Korce withdrew his amendment for further committee discussion. The resolution was voted on and adopted by voice vote:

For: Ayes (16).

Against: Hyde (1). Absent: None.

On motion of Mr. Johnson, seconded by Mr. Stephens, Resolution No. 93 sponsored by the Committee on County Properties and the Committee on Ways and Means awarding bid for photocopier service for departments of the County was handed up. Mr. Korce thanked the Budget Officer for all the work she did on this contract. The resolution was voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Peplinski, seconded by Mr. Wellington, Report and Resolution No. 94 sponsored by the Committee on Public Safety/Emergency Management and the Committee on

Ways and Means authorizing memorandum of agreement for receipt of Mutualink Deployment System 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. Manno, Resolution No. 95 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing application for funding and contract for co-location/collaboration of behavioral health and child protective services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Peplinski, seconded by Mr. Johnson, Report and Resolution No. 96 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing grant application for Schuyler Business Park Sewer Feasibility Study was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Stephens, seconded by Mr. Peplinski, Report and Resolution No. 97 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing bidding for bus service in connection with Herkimer County Rural Transit-Old Forge Circulator Pilot Shuttle Application was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Brezinski, seconded by Mr. Shaw, Resolution No. 98 sponsored by the Committee on Natural Resources setting public hearing on Annual Thirty-Day Period for 2015 for Inclusion of Viable Agricultural Land within a Certified Agricultural District was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Schrader, seconded by Mr. Ackerman, Resolution No. 99 sponsored by the Committee on County Properties and the Committee on Ways and Means authorizing payment for floor repairs on sale of Country Manor was handed up; discussion was held; Mr. Shaw made a motion to move the question, seconded by Mr. Korce. The motion was approved by voice vote:

For: (16).

Against: Russell (1). Absent: None.

The Resolution was 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: Rose (1). Absent: None.

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had comments: Mr. Stephens, Mr. Russell, Mr. Shaw, Mrs. Rose, Chairman Bono, Mr. Smith and Mr. Korce who announced that he would not be seeking re-election.

At 3:15 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, April 22, 2015 at 7:30 p.m., with a public hearing on the 2015 Open Enrollment Period for Inclusion in Agricultural Districts to be held at 7:15 p.m.