

MINUTES
Herkimer County Legislature
Third Quarter– First Day
Wednesday, July 6, 2011
2:00 p.m.

The Third Quarterly Session of the Herkimer County Legislature was called to order by Chairman Raymond Smith at 2:00 p. m.

Chairman Smith called on Mark Nagele, Deputy County Highway Superintendent, to lead the Legislature in the Pledge of Allegiance.

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

Present: Piseck, Rose, Keblish, Maneen, Stone, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Hendrix (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Smith asked if there were any objections or corrections to the minutes of June 15, 2011. There were no objections and the minutes were approved.

Chairman Smith dispensed with the regular session for a privilege of the floor and a short presentation by John Scarano, Executive Director of the Herkimer County Chamber of Commerce. Mr. Scarano distributed copies of the new Herkimer County information/tourism brochure and discussed some of the highlights. He expressed thanks to the Legislature for the County's contribution towards this publication.

Chairman Smith then allowed for a presentation by Legislator Bono, Chairman of the Committee on Human Resources. Legislator Bono called on staff from the Department of Social Services and presented each with a certificate of appreciation in recognition of their participation in the Volunteer Income Tax Assistance Program. The following were recognized: Cathy Lowell, Sue Overholt, Kristin Baker, Debbie Smith, Christine Marsden, Sara Riente and Tim Seymour who supervised the volunteers.

Pursuant to Rule 11, Chairman Smith opened the floor for public comment. The following individual spoke on the topic listed: Carl Streeter – reconsideration of jail project.

Chairman Smith 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. Mrs. Rose requested communication no. 237 be read.

No. 213 – A communication was received from the County Treasurer submitting the final county land auction results. Ordered filed.

No. 214 – A communication was received from the Budget officer submitting recommendation for award of truck mounted air compressor for the Highway Department. Referred to the Committee on Highways.

No. 215 – A communication was received from the Sewer District submitting recommendation for appointment to Sewer Board. Referred to the Committee on Natural Resources.

No. 216 – A communication was received from the Budget Officer submitting request for budget amendment in connection with grant for Public Health Nursing Service. Referred to the Committee on Ways and Means.

No. 217 – A communication was received from the Budget Officer requesting transfers of funds. Referred to the Committee on Ways and Means.

No. 218 – A communication was received from the Budget Officer submitting request for budget amendment in connection with pass through funding for Community Development Block Grant. Referred to the Committee on County Planning and Development.

No. 219 – Two communications were received from the Commissioners of Elections submitting requests for title changes in Board of Elections. Referred to the Committees on Administration/Veterans Affairs and Ways and Means.

No. 220 – A communication was received from the Budget Officer/Purchasing Agent submitting his Annual Report for 2010. Referred to the Committee on Ways and Means.

No. 221 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting requests for proposals for public review. Ordered filed.

No. 222 – A communication was received from the Vice President for Administration and Finance at Herkimer County Community College requesting setting of public hearing on College Operating Budget. Referred to the Committees on Education and Ways and Means.

No. 223 – A communication was received from the County Auditor advising of new mileage allowance amount. Ordered filed.

No. 224 – A communication was received from the State office of Homes and Community Renewal advising of award of block grant to assist Precisionmatics Company, Inc. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 225 – A communication was received from Timothy Dunn submitting his resignation from the College Board of Trustees. Referred to the Committee on Education.

No. 226 – A communication was received from Senator Seward advising of state budget update on farm help. Ordered filed.

No. 227 – A communication was received from the Director of Community Services submitting the 2012 Local Services Plan. Ordered filed.

No. 228 – A communication was received from the County Treasurer submitting the final report on dog license monies. Referred to the Committees on Ways and Means and Natural Resources.

No. 229 – A communication was received from the Director of Community Services submitting the June activities update. Ordered filed.

No. 230 – A communication was received from the Director of Information Services requesting contract for equipment and services for network storage and backup solutions. Referred to the Committee on Information Services and the Committee on Ways and Means.

No. 231 – A communication was received from the County Administrator requesting agreement with Centro of Oneida, Inc. in connection with transportation of employees to Human Technologies Corp. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 232 - A communication was received from the Sewer District submitting a resolution for approval concerning preparation of State Petroleum Bulk Storage application and Spill Prevention Control & Countermeasure Plan. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 233 – A communication was received from the Executive Director of the Youth Bureau requesting contracts and amendment of salary schedule in connection with receipt of grant allocation. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 234 – A communication was received from the Sewer District submitting a resolution for approval concerning appropriation of funds for Belt Replacement Project. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 235 – A communication was received from the Budget Officer submitting request for transfer of funds in connection with Belt press Replacement Project at Sewer District. Referred to the Committee on Natural Resources and Ways and Means.

No. 236 – A communication was received from Capital District OTB submitting financial statements for January through April, 2011 and audited financial statements for years 2009 and 2010. Ordered filed.

No. 237 – A communication was received from the County Attorney advising of the receipt of a Notice of Claim. Ordered filed.

No. 238 – A communication was received from Ervin Fuller advising of his intention to retire as Commissioner of Social Services. Ordered filed.

On motion of Mr. Bono, seconded by Mr. Manno, seconded by Mr. Shaw and Mr. Keblish, Report and Resolution No. 169 of the Committees on Education and Ways and Means fixing the time and place for public hearing on Herkimer County Community College Budget was handed up; there being no debate, was voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Hendrix (1).

No. 169

REPORT AND RESOLUTION OF THE COMMITTEES ON EDUCATION AND WAYS AND MEANS FIXING THE TIME AND PLACE FOR PUBLIC HEARING ON HERKIMER COUNTY COMMUNITY COLLEGE BUDGET

WHEREAS, your Committees on Ways and Means and Education are advised by letter dated June 17, 2011 from Nicholas Laino, Vice President for Administration and Finance, that the Herkimer County Board of Trustees approved the proposed 2011-2012 operating budget of the College at its meeting held on June 16, 2011 and requests that the Herkimer County Legislature set a public hearing to consider said budget; now, therefore, be it

RESOLVED, that a public hearing upon said Tentative Budget to be conducted by the Committee on Education shall be held at the Legislators' Chambers in the Village of Herkimer, New York, on the 27th day of July, 2011 at 7:00 p.m. pursuant to the provisions of Section 359 of the County Law and Section 6304(5-a) of the Education Law.

Dated: July 6, 2011.

PETER F. MANNO
JEFFREY M. STONE
LEONARD R. HENDRIX
FREDERICK J. SHAW, JR.
STEPHEN N. KEBLISH, JR.
BERNARD PEPLINSKI, SR.
Committee on Education

PATRICK E. RUSSELL

DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Piseck, seconded by Mr. Peplinski, Report and Resolution No. 170 of the Committee on Ways and Means and the Committee on County Planning and Development accepting grant and amending budget for NYS Homes and Community Renewal Funding was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16). Against: None.

Absent: Hendrix (1).

No. 170

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND COMMITTEE ON WAYS AND MEANS ACCEPTING GRANT AND AMENDING BUDGET FOR NYS HOMES AND COMMUNITY RENEWAL FUNDING

WHEREAS, by Resolution No. 109 of 2011, this Legislature authorized the Chairman of the Legislature to execute all documents and certifications required as part of an application for grant funding on behalf of Precisionmatics Company, Inc.; and

WHEREAS, by letter dated June 22, 2011 from New York State Housing Trust Fund Corporation and the NYS Homes and Community Renewal, Herkimer County has been advised of an award in the amount of \$91,000 (NYS CDBG) to assist in the expansion of Precisionmatics Company, Inc.; and

WHEREAS, by letter dated June 22, 2011 from Bernard E. Decker, Budget Officer/Purchasing Agent, it is necessary to amend the 2011 Budget in connection with said pass through funding; now, therefore, be it

RESOLVED, that the 2011 Budget be amended to accept the NYS CDBG funds as follows:

<u>Revenue:</u>		
A6420.3789C Economic Development	From:	\$0
	To:	\$91,000.00
 <u>Appropriation:</u>		
A6420.40200, IDA, Misc. Contr.	From:	\$0
	To:	\$91,000.00

And, be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Executive Director of the Herkimer County Industrial Development Agency.

Dated: July 6, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

JOHN J. PISECK
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
KURT J. ACKERMAN
**Committee on County Planning and
Development**

On motion of Mr. Bono, seconded by Mr. Korce, Report and Resolution No. 171 of the Committee on Highways awarding bid for purchase of equipment for Highway Department was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16).

Against: None.

Absent: Hendrix (1).

No.171

**REPORT AND RESOLUTION OF THE COMMITTEE ON HIGHWAYS AWARDING
BID FOR PURCHASE OF EQUIPMENT FOR HIGHWAY DEPARTMENT**

WHEREAS, the Budget Officer and Purchasing Agent has advised by letter dated April 1, 2011 that sealed bids were received, opened and read in accordance with law for the purchase of one new truck mounted 125CFM underbody air compressor for the Herkimer County Highway Department; and

WHEREAS, the Budget Officer further advises that it is the recommendation of your Committee and the County Superintendent of Highways that a contract be awarded to STS Trailer and Truck Equipment of Syracuse, New York, who was the low bidder, in the amount of \$14, 995.00; and

WHEREAS, there are sufficient funds available for said purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of one new truck mounted 125 CFM underbody air compressor for the Herkimer County Highway Department to STS Trailer and Truck Equipment, 3496 Court Street, Syracuse, New York 13206 in the amount of \$14,995.00; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Highway Superintendent and STS Trailer and Truck Equipment.

Dated: July 6, 2011.

DENNIS KORCE
VINCENT J. BONO
PATRICK E. RUSSELL
BRUCE WEAKLEY
JEFFREY M. STONE
BERNARD PEPLINSKI, SR.
Committee on Highways

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 172 of the Committee on Ways and Means amending budget in connection with Public health Nursing Service Homeland Security Grant was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16).

Against: None.

Absent: Hendrix (1).

No. 172

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AMENDING BUDGET IN CONNECTION WITH PUBLIC HEALTH NURSING
SERVICE HOMELAND SECURITY GRANT**

WHEREAS, by Resolution No. 157 adopted on June 15, 2011, this Legislature approved a contract with ACC Technical Services of Syracuse, New York, to complete and implement a computer solution registration of persons and others via scanner and computer to increase efficiency of disaster, shelter and other situations in which registration and digital records are needed, at a cost of \$14,950.00, with said funds to be provided through the Homeland Security 2010-11 Grant; and

WHEREAS, by letter dated April 20, 2011 from Bernard E. Decker, Budget Officer, this Legislature is advised of a request to amend the 2011 Budget in connection with the receipt of said additional funding in the amount of \$14,950.00 under said grant; now, therefore, be it

RESOLVED, that the 2011 Herkimer County Budget is hereby amended as follows:

<u>Revenue</u>	<u>From</u>	<u>To</u>
A4189E.3450, Homeland Security Grant	\$-0-	\$14,250.00
<u>Appropriation</u>		
A4189E.44000, Homeland Security Grant - Contracted Services	\$8,000.00	\$22,250.00

And, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Director of Public Health.

Dated: July 6, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mrs. Maneen, seconded by Mr. Weakley, Report and Resolution No. 173 of the Committee on Ways and Means and the Committee on Administration/Veterans' Affairs for staffing changes in Board of Elections was handed up; debate was held; was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Hendrix (1).

No. 173

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AND
THE COMMITTEE ON ADMINISTRATION/VETERANS' AFFAIRS FOR STAFFING
CHANGES IN BOARD OF ELECTIONS**

WHEREAS, by letters dated June 27 and June 29, 2011 the Commissioners of Elections have requested a title change for the two positions in Salary Scheduled II under Account A1450, Board of elections from Senior Typists to Deputy Commissioners of Elections; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that the 2011 Herkimer County Salary Schedule II is hereby amended to delete the two position of Senior Typists in Account A1450, Board of Elections, and replace with two positions of Deputy Commissioners of Elections; and, be it further

RESOLVED, that the aforesaid changes shall take effect this date; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Commissioners of Elections.

Dated: July 6, 2011.

JEAN E. MANEEN
BRUCE WEAKLEY
FREDERICK J. SHAW
PETER F. MANNO
STEPHEN N. KEBLISH, JR.
**Committee on Administration/Veterans'
Affairs**

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 174 of the Committee on Ways and Means transferring funds was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16). Against: None.

Absent: Hendrix (1).

No. 174

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
TRANSFERRING FUNDS

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated June 29, 2011, submitting requests for transfers of funds, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts:

\$1,102.00	From: A3110A.10000-001, Homeland Security Grant – Salaries
	To: A3110A.25000-001, Other Equipment
\$5,980.00	From: A7310.44000, Youth Bureau – contracted services
\$1,117.00	From: A7310.44000, Youth Bureau – Contracted Services
	To: A7310.81000, Youth Bureau – Retirement
\$ 371.00	From: A7310.44000, Youth Bureau – contracted services
	To: A7310.83000, Youth Bureau – Social Security
\$ 87.00	From: A7310.44000, Youth Bureau – Contracted Services
	To: A7310.83500, Youth Bureau – Medicare
\$ 238.00	From: A7310.44000, Youth Bureau – contracted services
	To: A7310.84000, Youth Bureau – Workers Comp.

And, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget officer, Executive Director of the Youth Bureau and Sheriff.

Dated: July 6, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO

BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Stone, seconded by Mr. Ackerman, Report and Resolution No. 175 of the Committee on Information Services and the Committee on Ways and Means authorizing contract for the provision of equipment and services for Network Storage and Backup solutions in the Information Services Department was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes (16). Against: None.

Absent: Hendrix (1).

No. 175

REPORT AND RESOLUTION OF THE COMMITTEE ON INFORMATION SERVICES AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT FOR PROVISION OF EQUIPMENT AND SERVICES FOR NETWORK STORAGE AND BACKUP SOLUTIONS IN INFORMATION SERVICES DEPARTMENT

WHEREAS, by letter dated June 21, 2011, JoAnn Boyer, Director of Information Services, has requested approval of a contract with Synergy Global Solutions, d/b/a Western New York Computing Systems, of Pittsford, New York, to provide equipment and services for network storage and backup solutions at a cost of \$13,801.00; and

WHEREAS, said letter further advises that there is funding available for said contract in the amount of \$16,000.00 through a bioterrorism grant obtained by the Herkimer County Public Health Nursing Service; now, therefore, be

RESOLVED, that the Chairman of this Legislature is authorized to enter into a contract with Synergy Global Solutions, Inc., d/b/a Western New York Computing Systems, 1100 Pittsford-Victor Road, Pittsford, New York 14534, to provide equipment and perform services for network storage and backup solutions for the Information Services Department, at a cost of \$13,801.00, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Information Services and Synergy Global Solutions, Inc.

Dated: July 6, 2011.

JEFFREY M. STONE
STEPHEN N. KEBLISH, JR.
KURT J. ACKERMAN
PETER F. MANNO
JEAN E. MANEEN
HELEN T. ROSE

Committee on Information Services

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Korce, seconded by Mr. Ackerman, Report and Resolution No. 176 of the Committees on Natural Resources and Ways and Means authorizing expenditure for dog control purposes was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16). Against: None.

Absent: Hendrix (1).

No. 176

REPORT AND RESOLUTION OF THE COMMITTEES ON NATURAL RESOURCES AND WAYS AND MEANS AUTHORIZING EXPENDITURE FOR DOG CONTROL PURPOSES

WHEREAS, this Legislature has been advised by a letter from Kimberlee A. Enea, County Treasurer, that the New York State Department of Agriculture and Markets has ruled that counties are no longer responsible for collection of dog licensing fees; and

WHEREAS, your Committees have been further advised that the final report and monies due have been forwarded to New York State and there now remains a balance of \$1,749.94 in Account TA-057 and requests permission to close said account and transfer the balance to A3511.46000, Herkimer County Humane Society; and

WHEREAS, Local Law No. 2 of 1998 provides that funds remaining in the hands of the County Treasurer after making payment to the Commissioner of Agriculture as required by Section 111(2) of the Agriculture and Markets be expended at the discretion of the County Legislature for controlling dogs and enforcing Article Seven of the Agriculture and Markets Law, including spaying and neutering of dogs; now, therefore, be it

RESOLVED, that the sum of \$1,749.94 is hereby appropriated from TA-057, Dog Monies to account A3511.46000, Humane Society - Miscellaneous Expense; and, be it further

RESOLVED, that Trust Account TA-057 is hereby authorized to be closed as there is no longer a useful purpose for said account; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Budget Officer and Herkimer County Humane Society.

Dated: July 6, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW
DENNIS KORCE
BRUCE WEAKLEY
PETER F. MANNO
JOHN L. BREZINSKI
Committee on Natural Resources

On motion of Mr. Bono, seconded by Mr. Peplinski, Report and Resolution No. 177 of the Committee on Natural Resources designating member to Herkimer County Sewer Board was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16). Against: None.

Absent: Hendrix (1).

No. 177

**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES
DESIGNATING MEMBER TO THE HERKIMER COUNTY SEWER BOARD**

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 100 for the year 1986, determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board, and appointed the chief executives, or their designees, of the Villages of Ilion, Frankfort and Mohawk, and the Towns of Frankfort and German Flatts, as members of said Board for terms of five years; and

WHEREAS, by Resolution No. 197 of 2010, Fred Pumilio was last appointed as a member of the Herkimer County Sewer Board for a term to expire 2/28/11; and

WHEREAS, by letter dated June 30, 2011, from Frank Spatto, Chairman of the Herkimer County Sewer Board, this Legislature is advised that the Mayor of the Village of Frankfort has named Richard Adams, Jr. to serve as his designee to replace Fred Pumilio on the Herkimer County Sewer Board for a term to expire February 28, 2016; now, therefore, be it

RESOLVED, that Richard Adams, Jr., 324 Fourth Ave., Frankfort, New York, is hereby appointed as a member of the Herkimer County Sewer Board as designee of the Village of Frankfort, for a term to expire February 28, 2016; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Herkimer County Sewer District and Richard Adams, Jr.

Dated: July 6, 2011.

BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW
DENNIS KORCE
BRUCE WEAKLEY
PETER F. MANNO
JOHN L. BREZINSKI
Committee on Natural Resources

On motion of Mr. Bono, seconded by Mr. Peplinski, Report and Resolution No. 178 of the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District resolution and transferring funds concerning belt replacement project at the Sewer District was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16). Against: None.

Absent: Hendrix (1).

No. 178

**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES
AND THE COMMITTEE ON WAYS AND MEANS APPROVING SEWER DISTRICT
RESOLUTION AND TRANSFERRING FUNDS CONCERNING BELT
REPLACEMENT PROJECT AT THE HERKIMER COUNTY SEWER DISTRICT**

WHEREAS, by letter dated June 21, 2011, the Secretary to the Herkimer County Sewer District Board, has advised that by action on April 20, 2011, the Herkimer County Sewer District Board adopted a resolution approving an appropriation of the balance of funds from the Reserve for the Bar Screen Replacement Project, which project has been completed, to the Belt Press Replacement Project; and

WHEREAS, by letter dated June 28, 2011, Bernard E. Decker, Budget Officer/Purchasing Agent, has submitted a request for transfer of funds in the amount of \$23,568.00 from Project #77, Raw Sewage Pump VFD, in connection with said Belt Replacement Project; now, therefore, be it

RESOLVED, that this Legislature hereby approves a resolution duly adopted by the Herkimer County Sewer District Board on April 20, 2011, approving the appropriation of the sum of \$81,531.43 from Reserve for Project #76, Bar Screen Replacement to account H8797.4000, for use on Project #78, Belt Press Replacement; and, be it further

RESOLVED, that the sum of \$23,568.00 is hereby transferred from Project #77, Raw Sewage Pump VFD, to Project #78, Belt Press Replacement; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and the Herkimer County Sewer District.

Dated: July 6, 2011.

BERNARD PEPLINSKI,
FREDERICK J. SHAW
DENNIS KORCE
BRUCE WEAKLEY
PETER F. MANNO
JOHN L. BREZINSKI
Committee on Natural Resources

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 179 of the Committee on Natural Resources and the Committee on Ways and Means approving award of contract in connection with State petroleum Bulk Storage and Spill Prevention Control and Countermeasure Plan was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16).

Against: None.

Absent: Hendrix (1).

**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES
AND THE COMMITTEE ON WAYS AND MEANS APPROVING AWARD OF
CONTRACT IN CONNECTION WITH STATE PETROLEUM BULK STORAGE AND
SPILL PREVENTION CONTROL & COUNTERMEASURE PLAN**

WHEREAS, by letter dated June 20, 2011, Keneck Skibinski, Chief Plant Operator at the Herkimer County Sewer District, has advised that by action on June 15, 2011, the Herkimer County Sewer District Board adopted a resolution recommending award of contract in the amount of \$4,900.00 to retain the services of GHD Engineers (formerly Stearns and Wheler) to prepare a State Petroleum Bulk Storage application and a Spill Prevention Control & Countermeasure Plan; and

WHEREAS, this Resolution has been forwarded to the Herkimer County Legislature for approval prior to its becoming effective; now, therefore, be it

RESOLED, that this Legislature hereby approves a resolution duly adopted by the Herkimer County Sewer District on June 15, 2011 approving a contract in the amount of \$4,900.000 with GHD Engineers (formerly Stearns and Wheler) to prepare a State petroleum Bulk Storage application and a Spill Prevention Control & Countermeasure Plan; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said agreement on behalf of the County of Herkimer ; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, the Herkimer County Sewer District and GHD Engineers.

Dated: July 6, 2011.

BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW
DENNIS KORCE
BRUCE WEAKLEY
PETER F. MANNO
JOHN L. BREZINSKI
Committee on Natural Resources

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Piseck, seconded by Mr. Stone, Report and Resolution No. 180 of the Committees on Administration/Veterans' Affairs and Ways and Means awarding contracts and amending salary schedule in connection with receipt of funding for Herkimer County Youth Bureau was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Hendrix (1).

No. 180

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AWARDING CONTRACTS AND AMENDING SALARY SCHEDULE IN CONNECTION WITH RECEIPT OF FUNDING FOR HERKIMER COUNTY YOUTH BUREAU

WHEREAS, by Resolution No. 106 adopted on April 6, 2011, this Legislature approved receipt of a grant entitled "Ready by 21" in the amount of \$35,000 from the New York State Office of Children and Family Services to be used for quality enhancement projects in the Herkimer County Youth Bureau; and

WHEREAS, by letter dated June 24, 2011, Gina Giacobelli, Executive Director of the Herkimer County Youth Bureau, has requested said funding be allocated for two contracts as follows:

- Results Leadership Group (RLG) and consultant Karen Finn - \$22,000. This will purchase training, consultation and software to be used to assess and evaluate programs for effectiveness and cost efficiency.
- Bridges Out of Poverty – full day training by certified trainer Denise Shaller - \$1,500. This will be a daylong training session to education professionals on the differences in generational and situational poverty and provide strategies for addressing its impact on people who enter this system of care (foster care, mental health, employment, PINS, etc.)

And,

WHEREAS, said letter further requests the Herkimer County Salary Schedule I be amended to include one additional day per week for the position of Executive Director of the Youth Bureau; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute contracts, after approval by the Herkimer County Attorney, as follows:

- Results Leadership Group (RLG) and consultant Karen Finn - \$22,000. This will purchase training, consultation and software to be used to assess and evaluate programs for effectiveness and cost efficiency.
- Bridges Out of Poverty – full day training by certified trainer Denise Shaller - \$1,500. This will be a daylong training session to education professionals on the differences in generational and situational poverty and provide strategies for addressing its impact on people who enter this system of care (foster care, mental health, employment, PINS, etc.)

And, be it further

RESOLVED, that Herkimer County Salary Schedule I is hereby amended in Account 7310, Youth Bureau, to change the base salary for the position of Executive Director to \$39,981, effective August 1, 2011 through March 31, 2012; and, be it further

RESOLVED, that the aforesaid contracts and salary change shall remain as approved so long as 100% funding is available from the New York State Office of Children and Family Services; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Executive Director of the Herkimer County Youth Bureau.

Dated: July 6, 2011.

JOHN J. PISECK, JR.
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
KURT J. ACKERMAN

Committee on County Planning & Development

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.

Committee on Ways and Means

On motion of Mr. Piseck, seconded by Mr. Ackerman, Report and Resolution No. 181 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing contract with Centro of Oneida, Inc. was handed up; there being no debate, was voted on and adopted by voice vote:

All ayes: (16).

Against: None.

Absent: Hendrix (1).

No. 181

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH CENTRO OF ONEIDA, INC.

WHEREAS, by letter dated July 1, 2011, from James W. Wallace, Jr., County Administrator, this Legislature has been advised of a request to enter into an agreement with Centro of Oneida, Inc. to provide public transit services to employees of Human Technologies Corporation of Frankfort, New York, from locations in Oneida County for the sole purposes of work and work training; and

WHEREAS, said letter further advises that said agreement will not affect any current agreements between Birnie Bus Services, New York State and Herkimer County, and said transportation service will be provided by Centro of Oneida, Inc. at no cost to Herkimer County; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Centro of Oneida, Inc. to provide public transit services, at no cost to Herkimer County, to employees of Human Technologies Corporation of Frankfort, New York, from locations in Oneida County for the sole purposes of work and work training, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer-Oneida Counties Transportation Program and Centro of Oneida, Inc.

Dated: July 6, 2011.

JOHN J. PISECK
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
KURT J. ACKERMAN
**Committee on County Planning and
Development**

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Bono, seconded by Mr. Piseck and Mr. Shaw, Report and Resolution No. 182 of the Committees on Human Resources and Ways and Means appointing Commissioner of Social Services was handed up; there being no debate, was voted on and adopted by roll call:

For: Piseck, Rose, Keblish, Maneen, Stone, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Hendrix (1).

No. 182

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS APPOINTING COMMISSIONER OF SOCIAL SERVICES**

WHEREAS, this Legislature is advised by communication dated July 5, 2011 from Ervin J. Fuller of his intention to retire as Commissioner of the Department of Social Services effective September 30, 2011; and

WHEREAS, your Committees have conducted a search for a replacement in said position and desire to make appointment in order to preserve proper continuity of service; now, therefore, be it

RESOLVED, that Timothy J. Seymour of 447 Otsego Street, Ilion, New York, is hereby appointed to the position of Commissioner of Social Services, at the base annual salary of \$75,000, subject to the approval of the Commissioner of the New York State Office of Temporary and Disability Assistance, to take effect October 1, 2011; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Timothy J. Seymour.

Dated: July 6, 2011.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

Mr. Seymour expressed his appreciation to the Legislature for the appointment and thanked Commissioner Fuller for his support and guidance.

On motion of Mr. Bono, seconded by Mr. Piseck and Mr. Shaw , Resolution No. 183 of the Committee on Ways and Means approving standard work day and retirement reporting for elected and appointing officials; debate was held, was voted on and adopted by voice vote:

All ayes: (16).

Against: None.

Absent: Hendrix (1).

No. 183

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

RESOLVED, that the Herkimer County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials							
Legislator	John J. Piseck, Jr.	████	████████	6	1/1/10-12/31/11	N	8.58
Coroner	Daniel Enea	████	████████	6	1/1/11 -12/31/14	N	3.24
District Attorney	John H. Crandall	████	████████	6	1/1/11 – 12/31/14	N	27.26
Appointed Officials							
Asst. District Attorney	Prescott Klosner	████	████████	6	1/1/11-12/31/14	N	26.92
Asst. District Attorney	Jeff Carpenter	████	████████	6	1/1/11-12/31/14	N	26.99
Asst. District Attorney	James J. Franchi	████	████████	6	1/1/11-12/31/14	N	6.67
Asst. District Attorney	Jacquelyn Asnoe	████	████████	6	1/1/11-12/31/14	N	8.32

Dated: July 6, 2011.
 PATRICK E. RUSSELL
 DENNIS KORCE
 VINCENT J. BONO
 BRUCE WEAKLEY
 JOHN J. PISECK, JR.
 BERNARD PEPLINSKI, SR.
Committee on Ways and Means

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

At 2:45 p.m. on motion of Mr. Manno, seconded by Mr. Stone, the Legislature adjourned to Wednesday, July 27, 2011 at 7:30 p.m.