

MINUTES
Herkimer County Legislature
Fourth Quarter – Fourth Day
Wednesday, December 14, 2011
7:30 p.m.

The Public Hearing on Introductory Local Law No. 2 for 2011 was called to order at 7:00 p.m. by Patrick E. Russell, Chairman of the Committee on Ways and Means. The clerk read the notice of the meeting. Mr. Russell asked if there was anyone wishing to speak on the local law. There were no appearances and the hearing was declared closed at 7:06 p.m.

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

Chairman Smith asked Legislator Jeff Stone to lead the Legislature in the Pledge of Allegiance.

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

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

Absent: Brezinski (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 November 16, 2011. There were no objections and the minutes were approved.

Chairman Smith dispensed with the regular session to allow for presentations. Chairman Smith presented plaques to outgoing Legislators John Piseck, Jeffrey Stone and Stephen Keblish in recognition and appreciation of their contributions and service to county government.

Pursuant to Rule 11, Chairman Smith opened the floor for public comment. The following individuals spoke on the following subjects: There was no one signed up to speak.

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.

No. 383 – A communication was received from the Sheriff submitting the monthly report for October. Referred to the Committee on Public Safety and Emergency Management

No. 384 – A communication was received from the Sheriff requesting renewal of agreement for an Inmate Management system. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 385 – A communication was received from the Budget Officer requesting a budget amendment in connection with the State Criminal Alien Assistance Program. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 386 – A communication was received from the Budget Officer recommending award if bids for Meals on Wheels. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 387 – A communication was received from the Director of the Office for the Aging requesting a resolution to provide meals on wheels services for the Visiting Nurse Service of New York. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 388 – A communication was received from the Director of Public Health requesting approval of payment mileage for Chenango County worker. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 389 – A communication was received from the Commissioner of Social Services requesting acceptance of funding from United Way. Referred to the Committees on Human Resources and Ways and Means.

No. 390 – A communication was received from the Director of Public Health advising of receipt of additional funding for the Immunization program. Referred to the Committee on Human Resources and the Committee on Finance.

No. 391 – A communication was received from the Office of the State Comptroller advising of the receipt and filing of sales tax resolution. Ordered filed.

No. 392 – A communication was received from the County Attorney advising of the receipt of a verified complaint. Referred to the Committee on Ways and Means.

No. 393 – A communication was received from the Director of the Office for the Aging submitting request for renewal of contracts for respite services under the Caregiver Support Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 394 – A communication was received from the Soil and Water Conservation District submitting minutes of 11/3/11. Ordered filed.

No. 395 – A communication was received from the County Treasurer submitting report of Unpaid School, Village and City Taxes. Referred to the Committee on Ways and Means.

No. 396 – A communication was received from the Sheriff requesting renewal of Court Security Contract. Referred to the Committee on Public Safety and Emergency Management.

No. 397 – A communication was received from the County Clerk notifying of the resignation of Daniel Enea as Herkimer County Coroner, District No. 3. Referred to the Committee on Public Safety and Emergency Management.

No. 398 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting recently adopted resolutions. Ordered filed.

No. 399 – A communication was received from the State Dept. of Taxation and Finance acknowledging receipt of County Sales Tax Resolution. Ordered filed.

No. 400 – A communication was received from the Soil and Water Conservation district submitting minutes of 11/3/11. Ordered filed.

No. 401 – A communication was received from the State DOT/Thruway Authority submitting an update on the status of the Mohawk-Erie Multimodal Transportation Corridor Study.

No. 402 – A communication was received from the Budget Officer requesting appropriation for the conduct of County government for 2012. Referred to the Committee on Ways and Means.

No. 403 – Two communications were received from Carl Streeter relating to construction of a New County Correctional Facility. Referred to the Public Safety and Emergency Management Committee.

No. 404 – A communication was received from the Director of Emergency Services requesting approval of receipt of Homeland Security Grant. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.

No. 405 – A communication was received from the Commissioner of Social Services requesting staffing change. Referred to the Committees on Human Resources and Ways & Means.

No. 406 – A communication was received from the Director of Public Health requesting acceptance of funding for Children with special Health Care Needs. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 407 – A communication was received from the Budget Officer submitting allotment of funding for libraries for 2012. Referred to the Committee on Ways and Means.

No. 408 – A communication was received from the Budget Officer submitting request for budget amendment in connection with additional ARRA funding for Public Health Nursing Service. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 409 – A communication was received from the Budget Officer submitting funding amount for Adirondack Park Local Government Review Board for 2012. Referred to the Committee on Ways and Means.

No. 410 – A communication was received from the Budget Officer submitting budget amendment in connection with receipt of grant funds for Homeland Security for Emergency Services. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 411 – A communication was received from the Budget Officer submitting budget amendment in connection with grant award from United Way for Country Manor. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 412 – A communication was received from the County Administrator submitting request for application to NYSERDA for energy analysis for new County Jail Project. Referred to the Committee on Public Safety/Emergency Management.

No. 413 – A communication was received from the Budget Officer submitting budget amendment in connection with funds for Sheriff's Dept. from Criminal Alien Assistance Program. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 414 – A communication was received from the Budget Officer requesting permission to advertise for bids for cell package for New County Jail Project. Referred to the Committee on Public Safety/Emergency Management.

No. 415 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 416 – A communication was received from the Director of Probation requesting acceptance of Ignition Interlock Program Grant award. Referred to the Committee on Public Safety/emergency Management.

No. 417 – A communication was received from the County Administrator requesting adoption of part-time hourly Salary Schedule. Referred to the Committee on Ways and Means.

No. 418 – A communication was received from CSEA advising of ratification of the tentative agreement with the County. Referred to the Committee on Ways and Means.

No. 419 – A communication was received from the Budget Officer submitting recommendation for award of chemical for the Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 420 – A communication was received from ProAct, Inc. submitting Herkimer County Discount Drug Card report for November. Ordered filed.

No. 421 – A communication was received from the Director of Real Property Tax Services requesting tax levies for consolidated health taxes for certain towns. Referred to the Committee on Ways and Means.

No. 422 – A communication was received from the Budget Officer submitting request for change order on curtainwall project. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 423 – A communication was received from the County Attorney concerning transfer of premises to the City of Little Falls. Referred to the Committee on County Properties.

No. 424 – A communication was received from the County Administrator requesting amendment of resolution for TREATY Youth Violence Prevention Program. Referred to the Committees on Human Resources and Ways and Means.

No. 425 – Two communications were received from the Town of Webb Tourism/Publicity Director requesting designation as Tourism Promotion Agency and guarantee of matching funds. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 426 – A communication was received from the Director of Real Property Tax Services submitting the Equalization Table. Referred to the Committee on Ways and Means.

No. 427 - A communication was received from the Director of Real Property Tax Services submitting the Forms and Footings. Referred to the Committee on Ways and Means.

No. 428 - A communication was received from the Director of Real Property Tax Services submitting the Tabulation of Town Budgets. Referred to the Committee on Ways and Means.

No. 429 – A communication was received from the Director of Real Property Tax Services submitting tax warrants and levies. Referred to the Committee on Ways and Means.

No. 430 - A communication was received from the Director of Real Property Tax Services submitting District Tax Rates. Ordered printed and filed.

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

For: Ayes (16).

Against: None.

Absent: Brezinski (1).

Consent Agenda:

295 PUB. SFTY/EMER. MGMT: Monthly Report of Sheriff

296 NAT. RESOURCES: Reappointing Director of Soil and Water Conservation District

297 HUMAN RES., WAYS & MEANS: Authorizing contracts for services Under Caregiver Support Program

- 298 HUMAN RES., WAYS & MEANS: Awarding contracts for Meals on Wheels For Dolgeville, Little Falls and Mohawk areas
- 299 HUMAN RES., WAYS & MEANS: Amending Budget in connection with Additional Stimulus Funding for Public Health Nursing Service
- 300 HUMAN RES., WAYS & MEANS: Authorizing Mileage Reimbursement In Public Health Nursing Service
- 301 HUMAN RES., WAYS & MEANS: Authorizing Contract with State of New York for funding for Children with Special Needs Program
- 302 HUMAN RES., WAYS & MEANS: Amending Budget in connection with Receipt of United Way Grant funding for Dept. of Social Services
- 303 PUB. SFTY./EMER. MGMT., WAYS & MEANS: Amending budget in Connection with funding in Sheriff's Office
- 304 WAYS & MEANS: Authorizing contract with Mid-York Library System For 2012
- 305 WAYS & MEANS: Authorizing contracts with Non-Profit Organizations for Year 2012
- 306 WAYS & MEANS: Authorizing contract with Adirondack Park Local Govt. Review Board for 2012
- 307 WAYS & MEANS: Transferring funds

No. 295

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT APPROVING MONTHLY REPORT OF SHERIFF

WHEREAS, your Public Safety & Emergency Management Committee, to which was referred the report of the Sheriff for the month of October , 2011, respectfully reports that we have examined said report, recommend that it be approved and offer the following Resolution:

RESOLVED, that the report of the Herkimer County Sheriff for the month of October, 2011, which report reflects an average daily population of 57.58 inmates, with an average of 27.16 inmates being boarded out in October, be approved and filed.

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES
REAPPOINTING DIRECTOR OF HERKIMER COUNTY SOIL AND WATER
CONSERVATION DISTRICT**

WHEREAS, by letter dated November 15, 2011, this Legislature is advised that the Herkimer County Soil and Water Conservation District Board of Directors recommends the reappointment of Linda Coffin of Ilion, New York, as Director at Large for the Soil and Water Conservation District for the three year term commencing January 1, 2012; now, therefore, be it

RESOLVED, that Linda Coffin, 1165 Jones Road, Ilion, New York, be and she hereby is, reappointed for a three year term commencing January 1, 2012 as Director at Large of the Herkimer County Soil and Water Conservation District; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District and Linda Coffin.

Dated: December 14, 2011.

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

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS AUTHORIZING CONTRACTS FOR SERVICES UNDER
CAREGIVER SUPPORT PROGRAM**

WHEREAS, by Resolution No. 142 duly adopted on May 16, 2001, this Legislature established a New York Elder Caregiver Support Program in the Herkimer County Office for the Aging; and

WHEREAS, by letter dated November 15, 2011, from Mary A. Scanlon, Director of the Office for the Aging, this Legislature is advised of a request to renew contracts with Superior Home Health Care, HASCA, Folts Home and RCIL (Resource Center for Independent Living), for the provision of respite services, which is one of the requirements under said Caregiver Support Program; and

WHEREAS, respite is one of the requirements under the Caregiver Support Program and assists families to keep their loved ones at home rather than in a nursing home and said Program is 75/25% federal funding with no overmatch; now, therefore, be it

RESOLVED, that this Legislature hereby approves respite contracts with the agencies listed below under the Title III E, Caregiver Support Program of the Herkimer County Office for the Aging, for the period from January 1, 2012 through December 31, 2012, with services to be provided at the rates as outlined below:

Agency	Rate	Service
Superior Home Health Care	\$18.50/hr	In-home respite
HASCA	\$20.00/hr	In-home respite
Folts Homes	\$200/day	Institutional overnight stay
RCIL	\$60.00/day	Adult day care (T. Webb)

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contracts 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, Director of the Office for the Aging and the agencies listed above.

Dated: December 14, 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

No. 298

REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS AWARDING CONTRACTS FOR MEALS ON WHEELS FOR THE DOLGEVILLE, LITTLE FALLS AND MOHAWK AREAS

WHEREAS, this Legislature is informed by communication dated December 7, 2011 from Bernard E. Decker, Budget Officer, that the Herkimer County Office for the Aging, through federal grants

received and local sharing, has funds for the Meals on Wheels Programs and reports that the lowest bid price, including the cost of transportation and delivery, has been calculated by and provided by the Office for the Aging; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes a catering contract for the Meals on Wheels and Congregate Meals programs for the year 2012 with an option for a one year renewal contract with a cost of living increase, and with said contracts to contain a 60 day termination of contract provision:

Area:	Number of meals:	Cost:
<i>Dolgeville area:</i> Little Falls Motel Associates, Inc.	up to 50 meals/day	\$4.25/meal up to \$54,187.50 annually
<i>Little Falls area:</i> Little Falls Motel Associates, Inc.	up to 75 meals/day	\$4.25/meal up to \$81,281.25 annually
<i>Mohawk area:</i> Little Falls Motel Associates, Inc.	Up to 25 meals/day	\$4.25 meal up to \$27,093.75 annually

And, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contracts 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, Director of the Office for the Aging and the above listed agency.

Dated: December 14, 2011.

VINCENT J. BONO
JOHN J. PISECK
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

No. 299

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AMENDING BUDGET IN CONNECTION WITH ADDITIONAL STIMULUS FUNDING FOR THE HERKIMER COUNTY PUBLIC HEALTH NURSING SERVICE

WHEREAS, by Resolution No. 293 duly adopted on November 18, 2009, this Legislature authorized a contract and budget amendment in connection with the receipt of ARRA (American Recovery & Reinvestment Act) funding for increased immunization for adults and children and to improve vaccine storage and handling practices; and

WHEREAS, by Resolution No. 286 adopted November 16, 2011 this Legislature approved a budget amendment in connection with the receipt of additional ARRA funding in the amount of \$2,900.00

WHEREAS, by letter dated November 28, 2011, from Gregory O’Keefe, MD, Director of Public Health, this Legislature is advised that the Public Health Nursing Program has received additional unexpended NY State-wide funds from the 2009 ARRA Grant in the amount of \$4,238.46; and

WHEREAS, by letter dated December 7, 2011, Bernard E. Decker, Budget Officer and Purchasing Agent, has advised that an amendment of the 2011 Budget is necessary in connection therewith; now, therefore, be it

RESOLVED, that Resolution No. 286 adopted on November 16, 2011 is hereby amended and the 2011 Herkimer County Budget is hereby amended as follows:

Revenue:

A4189I.4489I, ARRA Immunization Grant	From:	\$0
	To:	\$4,238.06
	Instead of To:	\$2,900.06

Appropriation

A4189I.22000, ARRA Immunization, Comp. Equip.	From:	\$1,312.06
	To:	\$5,550.46
	Instead of To:	\$4,212.00

and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute the contract for the receipt of said additional funding, with the 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 and Director of Public Health.

Dated: December 14, 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

No. 300

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND
WAYS AND MEANS AUTHORIZING MILEAGE REIMBURSEMENT IN PUBLIC
HEALTH NURSING DEPARTMENT**

WHEREAS, by letter dated November 22, 2011, Dr. Gregory O’Keefe, Director of Public Health, advises your Committees of a request to reimburse an employee from the Chenango County Public Health Department for mileage charges since the employee provided training on billing procedures for Early Intervention and Pre-School Programs, without cost to Herkimer County ; and

WHEREAS, your committees have been requested, and have approved, a mileage payment of \$53.28 for 96 miles of travel at the standard federal mileage reimbursement rate; now, therefore, be it

RESOLVED, that the amount of \$53.28 be paid to Leann Cosens of the Chenango County Health Department for mileage expense on September 2, 2011; and, be it further

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

Dated: December 14, 2011.

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

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

No. 301

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT
WITH THE STATE OF NEW YORK FOR FUNDING FOR CHILDREN WITH
SPECIAL HEALTH CARE NEEDS PROGRAM**

WHEREAS, by letter dated November 29, 2011 from Gregory O’Keefe, MD, Director of Public Health, this Legislature is advised that the New York State Department of Health has submitted contracts providing for the renewal of the Children with Special Health Care Needs grant for a period of three years in the amount of \$18,329.00 per year; and

WHEREAS, said agreement shall be effective for the term October 1, 2011 through September 30, 2014; and

WHEREAS, the County of Herkimer has qualified personnel, facilities and expertise to provide the services required under the terms of the agreement; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute said contract in form prepared by the State of New York, on behalf of the County of Herkimer for a Children with Special Health Care Needs Program grant in the amount of \$18,329.00 per year, with said grant to be for the period October 1, 2011 through September 30, 2014; and, be it further

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

Dated: December 14, 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

No. 302

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AMENDING BUDGET IN CONNECTION WITH RECEIPT OF UNITED WAY GRANT FUNDING FOR HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES

WHEREAS, by letter dated November 28, 2011, Timothy Seymour, Commissioner of Social Services, has advised that the Department of Social Services has received a grant in the amount of \$5,000.00 from the United Way's 2011 Community Empowerment Grants; and

WHEREAS, said funding will be utilized for the purchase of a new restaurant-grade electric range and refrigerator for the Country Manor; and

WHEREAS, by letter dated December 7, 2011 from Bernard E. Decker, Budget Officer, has submitted a request for an amendment of the 2011 Budget in connection therewith; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant agreement with the United Way of the Valley and Greater Utica Area to accept \$5,000.00 in funding through the United Way's 2011 Community Empowerment Grants Program, which funds will be used for the purchase of a new restaurant-grade electric range and refrigerator for the Country Manor; and, be it further

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

Revenue:

A6030.1989B Public Home Bldg. United Way Grant	From: \$0
	To: \$5,000.00

Appropriation

A6030.25000 Pub. Home Bldg., Other Equip.	From: \$ 5,750.00
	To: \$10,750.00

And, be it further

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

Dated: December 14, 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

No. 303

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AMENDING BUDGET IN CONNECTION WITH FUNDING IN SHERIFF'S OFFICE

WHEREAS, by letter dated December 7, 2011 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2011 Budget in connection with funding received from the U.S. Department of Justice for a State Criminal Alien Assistance Program (SCAAP) award in the Sheriff's office; now, therefore, be it

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

Revenue

A3150.4388 Jail, Alien Assistance	From:	\$0
	To:	\$14,014.00

Appropriation

A3150.10000-001, Jail, Salaries	From:	\$1,334,660.00
	To:	\$1,337,110.00
A3150.44000 Jail, Contracted Services	From:	\$ 41,879.00
	To:	\$ 44,962.68
A3150.10100-021 Jail, Perm. P/T	From:	\$ 439,400.00
	To:	\$ 447,880.92

And, be it further

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

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
Committee on Public Safety and
Emergency Management

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

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING CONTRACT WITH MID-YORK LIBRARY SYSTEM FOR THE YEAR 2012**

WHEREAS, Mid York Library System of Utica, New York, operates a cooperative library system approved by the Commissioner of Education and includes among its member libraries the public libraries of Herkimer County; and

WHEREAS, this Legislature is authorized by law to provide support for cooperative library systems and public libraries operating within the County of Herkimer; now, therefore, be it

RESOLVED, that pursuant to Section 255 and 256 of the Education Law of the State of New York, the County of Herkimer enter into a contract with Mid-York Library System for the purpose of supporting the operating of Mid-York Library System for the year 2012 within the County of Herkimer and member public libraries of said system within the County of Herkimer, in the sum of \$64,489.00; and, be it further

RESOLVED, that said contract further provides that the sum of \$17,125.00 be paid to Mid-York Library System to support its operation within the County of Herkimer and that the balance of said \$64,489.00 be distributed among the member public libraries within the County of Herkimer as follows:

Library	2012 Funding
Dolgeville-Manheim	\$2,877.00
Middleville	1,591.00
Newport	1,591.00
Old Forge	1,591.00
Poland	1,591.00
Basloe (Herkimer)	8,719.00
Frankfort	4,101.00
Kirby (Salisbury)	1,591.00
Jordanville	1,591.00
Little Falls	7,366.00
West Winfield	1,591.00
Weller (Mohawk)	3,574.00
Ilion	9,590.00
Total	\$47,364.00

and, be it further

RESOLVED, that said Mid-York Library System render to this Legislature a verified account of the disbursement of said grant with verified or certified vouchers thereto attached and that said Mid-York Library System refund to the County of Herkimer any amount of the said funds which may remain unused by Mid-York Library System or by its member public libraries on December 31, 2012; and, be it further

RESOLVED, that before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of Mid-York Library System agreeing to comply with the terms of this Resolution; and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized and empowered to execute the said contract with Mid-York Library System 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 and Mid-York Library System.

Dated: December 14, 2011.

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

No. 305

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING CONTRACTS WITH NON-PROFIT ORGANIZATIONS FOR THE
YEAR 2012**

WHEREAS, Section 224 of the County Law grants this Legislature power to contract with non-profit organizations and other corporations, associations and agencies which are within the County of Herkimer and formed to provide the services enumerated below and with such organizations within any adjoining county formed in and for such purposes and providing services which are the subject of the contract and are to be rendered within Herkimer County; and

WHEREAS, this Legislature has considered requests from various organizations for financial aid and has determined that the purposes for which such requests were made as set forth below are within the provisions enumerated in County Law Section 224; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby authorizes contracts for the year 2012 with the organizations named below in the amounts and for the purposes set forth;
2. That each said contract shall require the rendering of a verified account of the disbursements from the amount contracted for with verified or certified vouchers thereto attached.
3. That each said contract shall provide for a refund of any unused amount;

4. Before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of such organization agreeing to comply with the terms of this Resolution;

5. That the contracts hereby authorized are as follows:

Organization	Amount	Services as set Forth in Statute (County Law Sec.)
Central Adirondack Association, Inc.	\$20,000.00	224(14)
Adirondack North Country Association	\$ 900.00	224(14)
Cooperative Extension Assoc. Of Herkimer County	\$218,756.00	224(8)
Cooperative Extension Association of Herkimer County Legislature Intern Program	\$ 2,500.00	224 (8)
Herkimer County Fair Association	\$ 5,000.00	224(14)
Herkimer County Industrial Development Agency	\$ 65,000.00	224(14)
Herkimer County Chamber of Commerce	\$21,500.00	224(14)
Herkimer County Historical Society	\$27,500.00	224(2)
Herkimer County Humane Society	\$15,000.00	224(2)
Herkimer County Humane Society - Reimbursement for animal cruelty investigations	\$ 5,000.00	224(4)
Mohawk Valley Economic Development District, Inc.	\$20,000.00	224(14)
Community Action-Headstart	\$ 4,750.00	224(22)

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be, and he hereby is, authorized to execute the said contracts 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 and each organization.

Dated: December 14, 2011.

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

No. 306

**REPORT AND RESOLUTION OF THE COMMITTEE ON COMMITTEE ON WAYS
AND MEANS AUTHORIZING CONTRACT WITH ADIRONDACK PARK LOCAL
GOVERNMENT REVIEW BOARD**

WHEREAS, the Adirondack Park Local Government Review Board is charged with the duty of advising and assisting the Adirondack Park Agency in carrying out its function, powers and duties; and

WHEREAS, pursuant to Section 803-a of the Executive Law of the State of New York, Herkimer County is entitled to one member on said Review Board; and

WHEREAS, said Review Board is partially funded by the State of New York, and is funded by the member counties which are wholly or partly within the Adirondack Park; now, therefore, be it

RESOLVED, that pursuant to Section 803-a of the Executive Law of the State of New York, the County of Herkimer enter into a contract with the Adirondack Park Local Government Review Board in the sum of \$3,650.00 for the purpose of supporting its operations for the year 2012; and, be it further

RESOLVED, that said contract requires that the Adirondack Park Local Government Review Board render to this Legislature a verified account of the disbursements of said grant with verified or certified vouchers attached thereto, with the provision that a refund be made to the County of Herkimer of any amount of said funds which may remain unused by the Adirondack Park Local Government Review Board on December 31, 2012; and, be it further

RESOLVED, that before paying any money to such organization under said contract, the County Treasurer shall require a memorandum receipt signed by the principal officer and the disbursing officer of the Adirondack Park Local Government Review Board agreeing to comply with the terms of this Resolution; and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized and empowered to execute the said contract with the Adirondack Park Local Government Review Board agreeing to comply with the terms of this Resolution; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Adirondack Park Local Government Review Board.

Dated: December 14, 2011.

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

No. 307

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

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated December 9, 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:

\$950.00	From:	A1450A.10100 BOE Admin, Temp. Emp's.
	To:	A1450A.83000 BOE Admin, Soc. Sec.
\$220.00	From:	A1450A.10100 BOE Admin, Temp. Emp's.
	To:	A1450A.83500 BOE Admin, Medicare
\$660.00	From:	A1450A.10100 BOE Admin, Temp. Emp's.
	To:	A1450A.84000 BOE Admin, Worker's Comp.
\$600.00	From:	A7310.44000 Youth Bureau, Cont. Serv.
	To:	A7310B.44000 Youth Violence Prog, Cont. Serv.
\$1,000.00	From:	A1930.46000 Judgment & Claims, Misc. Exp.
	To:	A1185.10000-001 Med. Ex. & Coroners, Salaries
\$62.00	From:	A1930.46000 Judgment & Claims, Misc. Exp.
	To:	A1185.83000 Med. Ex. & Coroners, Soc. Sec.
\$15.00	From:	A1185.46000 Judgment & Claims, Misc. Exp.
	To:	A1185.83500 Med. Ex. & Coroners, Medicare

and be it further,

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

Dated: December 14, 2011.

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

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 308 of the Committee on Ways and Means adopting the 2012 Herkimer County Budget was handed up; debate was held, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 308

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
ADOPTING 2012 BUDGET**

WHEREAS, the tentative budget for the year 2012 for the County of Herkimer has been duly presented to the County Legislature by the Budget Officer, and a duly advertised public hearing has been held thereon; now, therefore, be it

RESOLVED, that pursuant to Section 360 of the County Law, the tentative budget be, and hereby is, adopted as the Budget of the County of Herkimer for the year 2012.

Dated: December 14, 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. Russell, seconded by Mr. Shaw, Report and Resolution No. 309 adopting Introductory Local Law No. 2 for 2011 was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against; None. Abstain: Manno (1).

Absent: Brezinski (1).

No. 309

**REPORT AND RESOLUTION OF THE COMMITTEES ON AND WAYS AND MEANS
ADOPTING INTRODUCTORY LOCAL LAW NO. 2 for 2011**

Your Committee on Ways and Means of the Herkimer County Legislature desire to report that on the 14th day of December, 2011, pursuant to Resolution No. 293, they held a public hearing on the adoption of Introductory Local Law No. 2 for 2011 entitled, "A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE." and that there were no appearances and no objections at the said public hearing; that your Committee advises the adoption and enactment of the said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law No. 2 for 2011 be adopted in form attached hereto.

Dated: December 14, 2011.

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

INTRODUCTORY LOCAL LAW NO. 2 - 2011

LOCAL LAW NO. 1 - 2012

A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE

BE IT ENACTED by the Herkimer County Legislature of the County of Herkimer as follows:

Section 1. The base annual salary of the County Treasurer shall be the sum of Fifty Two Thousand Three Hundred Fifty Nine Dollars (\$52,359).

Section 2. The base annual salary of the County Highway Superintendent shall be the sum of Eighty Seven Thousand Two Hundred and Nine Dollars (\$87,209).

Section 3. The base annual salary of the County Clerk shall be the sum of Fifty Five Thousand Three Hundred Forty Dollars (\$55,340).

Section 4. The base annual salary of the Director of Real Property Tax Services shall be the sum of Forty Seven Thousand Six Hundred Fifty Seven Dollars (\$47,657).

Section 5. The base annual salary of the Personnel Officer shall be the sum of Fifty Nine Thousand Three Hundred Twenty Dollars (\$59,320).

Section 6. The base annual salary of the Commissioner of Social Services shall be the sum of Seventy Six Thousand Five Hundred Dollars (\$76,500).

Section 7. The base annual salary of the Commissioners of Elections shall be the sum of Forty Thousand Six Hundred and Six Dollars (\$40,606).

Section 8. The salary of the county coroners shall be One Hundred Sixteen Dollars (\$116.00) per call.

Section 9. This Local Law shall take effect forty-five days after its adoption and shall be subject to a permissive referendum.

Dated: December 14, 2011.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 310 of the Committees on Human Resources and Ways and Means authorizing contract with Visiting Nurse Service of New York for provision of home delivered meals was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Brezinski (1).

No. 310

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS AUTHORIZING CONTRACT WITH VISITING NURSE
SERVICE OF NEW YORK FOR PROVISION OF HOME DELIVERED MEALS**

WHEREAS, the Visiting Nurse Service of New York (VSNY) offers a Medicaid Managed Long Term Care plan for people residing in New York through its wholly owned subsidiary called VNSNY CHOICE; and

WHEREAS, by letter dated November 28, 2011, Mary A. Scanlon, Director of the Office for Aging, has advised that the VNSNY has requested that the Office for the Aging enter into a contract with VNSNY CHOICE for the provision of home delivered meals to their clients, with the VNSNY CHOICE to reimburse the Office for the Aging for 100% of the cost of said meals provided; and

WHEREAS, by letter dated December 8, 2011 Bernard E. Decker, Budget Officer, advises that it is necessary to establish a revenue account in connection with the receipt of said reimbursement which is estimated to be approximately \$1,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute a contract between the Herkimer County Office for the Aging and VNSNY CHOICE, 107 E. 70th Street, New York, NY 10021, for the provision of home delivered meals to their clients, with the VNSNY CHOICE to reimburse the Office for the Aging for 100% of the cost of said meals provided Program, estimated to be approximately \$1,000.00, and with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said contract shall be for the period December 1, 2011 through December 31, 2012, with the option for renewals of two additional terms of one year each at the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and VNSNY CHOICE.

Dated: December 14, 2011.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX

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

PATRICK E. RUSSELL
Committee on Human Resources

BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Stone, seconded by Mr. Hyde, Report and Resolution No. 311 of the Committee on Public Safety and Emergency Management approving amendment to Court Security contract was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16). Against: None.

Absent: Brezinski (1).

No. 311

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT APPROVING AMENDMENT TO COURT SECURITY CONTRACT

WHEREAS, by Resolution No. 11 adopted on January 20, 2011, this Legislature authorized a five year contract with the New York State Office of Court Administration to obtain reimbursement for expenses incurred in providing court security; and

WHEREAS, said contract provides for renegotiations of the maximum reimbursement amount on an annual basis; and

WHEREAS, this Legislature has been advised by Sheriff Christopher P. Farber by letter dated November 28, 2011, that the Office of Court Administration has submitted a renewal of said contract covering the period from April 1, 2011 through March 31, 2012, with the maximum reimbursement not to exceed \$50,000; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a Court Security Contract Renewal with the Office of Court Administration for the period from April 1, 2011 through March 31, 2012, with the maximum reimbursement not to exceed \$50,000; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Sheriff and Office of Court Administration.

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE

BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Hendrix, seconded by Mr. Hyde, Report and Resolution No. 312 of the Committee on Public Safety/Emergency management and the Committee on Ways and Means was handed up; debate was held, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None. Absent: Brezinski (1).

No. 312

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND
EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS
APPROVING RENEWAL OF AGREEMENT FOR SALLYPORT INMATE
MANAGEMENT SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY**

WHEREAS, by Resolution No. 19 of 2009 this Legislature authorized an agreement to accept the SallyPort Jail Management System at the Herkimer County Correctional Facility; and

WHEREAS, by letter dated December 5, 2011 from Sheriff Christopher Farber, this Legislature is advised of a request to renew said agreement for support services for the SallyPort Inmate Management System for the period 1/1/2012 through 12/31/2012 at a cost of \$10,225.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for support services for the SallyPort Inmate Management System at the Herkimer County Correctional Facility, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 1/1/2012 through 12/31/2012 at an annual cost of \$10,225.00; and, be it further

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

Dated: December 14, 2011.

LEONARD R. H ENDRIX
VINCENT J. BONO
JEFFREY M. STONE

DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

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

On motion Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 313 of the Committees on Human Resources and Ways and Means for staffing change in the Department of Social Services was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 313

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS FOR STAFFING CHANGE IN THE DEPARTMENT OF
SOCIAL SERVICES**

WHEREAS, by letter dated November 28, 2011, Timothy J. Seymour, Commissioner of Social Services has requested a staffing adjustment be made in the Department of Social Services; 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 is hereby amended in Salary Schedule No. III to establish one position of Part-time Clerk (19 ½ hrs/week) in Account A6010 the base annual salary of \$13,371.00; and, be it further

RESOLVED, that the foregoing change shall take effect December 19, 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 Commissioner of Social Services.

Dated: December 14, 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

On motion of Mr. Hyde, seconded by Mr. Peplinski and Mr. Ackerman, Report and Resolution No. 314 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing submission of an application to NYSERDA for an energy analysis was handed up; debate was held, roll call vote was requested; was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Hendrix, Hyde, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (14).

Against: Rose, Manno, Korce (3).

Absent: Brezinski (1).

No. 314

REPORT AND RESOLUTION OF THE COMMITTEES ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND WAYS & MEANS AUTHORIZING THE SUBMISSION OF AN APPLICATION TO NY

On motion of Mr. Hendrix, seconded by Mr. Weakley, Mr. Bono and Mr. Hyde, Report and Resolution No. 315 of the Committee on Public Safety/Emergency Management authorizing

bids for cell package was handed up; debate was held and a roll call vote was requested; was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Hendrix, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (15).

Against: Rose, Korce (2).

Absent: Brezinski

No. 315

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AUTHORIZING BIDS FOR CELL PACKAGE

WHEREAS, Herkimer County is in the process of a new correctional facility project; and

WHEREAS, this Legislature is informed by communication from Bernard E. Decker, Budget Officer and Purchasing Agent, dated December 9, 2011, that specifications are being prepared for the provision of a cell package for said new correctional facility as specified by the project architects, LaBella Associates; now, therefore, be it

RESOLVED, that the Herkimer County Purchasing Agent be, and he hereby is, authorized and directed to advertise for bids for the provision of a cell package for a new Herkimer County Correctional Facility accordance with specifications to be approved by your Committee, said advertisement to be in the official newspapers of the County, and bids to be received and opened in the Office of the Purchasing Agent, with results thereof to be reported to this Legislature for approval and award; and, be it further

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

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Hendrix, seconded by Mr. Peplinski, Report and Resolution No. 316 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means in connection with receipt of Homeland Security funding was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 316

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS IN CONNECTION WITH RECEIPT OF HOMELAND SECURITY FUNDING

WHEREAS, by letter dated December 5, 2011, from Robert Vandawalker, Director of Emergency Services, this Legislature is advised of the receipt of an FY 2010 grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$154,000.00, which grant will be used primarily in connection with the Federal Communications Commission Narrowbanding mandate; and

WHEREAS, by letter dated December 8, 2011 from Bernard E. Decker, Budget Officer, this Legislature is advised that it will be necessary to amend the 2011 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the New York State Division of Homeland Security and Emergency Services to receive \$154,000.00 through the FY 2010 Homeland Security Program, which grant will be used primarily in connection with the Federal Communications Commission Narrowbanding mandate at the Herkimer County Emergency Communications Center; and, be it further

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

Revenue:

A3020A.3389G Em. Management. Homeland Security	From:	\$0
	To:	\$154,273.00

Appropriation

A3020.25000 Em. Management Homeland Sec Grant, Other Equip.	From:	\$190,700.85
	To:	\$344,973.85

and, be it further

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

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

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. Hendrix, seconded by Mr. Shaw, Report and Resolution No. 317 of the Committee on Public Safety/Emergency Management in connection with receipt of Ignition Interlock Device Monitoring Grant was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16). Against: None.

Absent: Brezinski (1).

No. 317

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND
EMERGENCY MANAGEMENT IN CONNECTION WITH RECEIPT OF IGNITION
INTERLOCK DEVICE MONITORING GRANT**

WHEREAS, the provisions of Leandra's law, as implemented by the rules and regulations of the New York State Division of Probation and correctional Services, requires all counties to establish an Ignition Interlock program Plan; and

WHEREAS, by letter dated December 9, 2011, from Josephine Sohn, Probation Director, this Legislature is advised of the receipt of a Governor's Traffic Safety Committee Ignition Interlock Device Monitoring Project Grant from the State of New York Division of Criminal Justice Services in the amount of \$14,561.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the New York State Division of Criminal Justice Services to receive a Governor's Traffic Safety Committee Ignition Interlock Device Monitoring Project Grant in the amount of

\$14,561.00, 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 and Director of Probation.

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 318 of the Committee on Ways and Means relevying unpaid school, village and city taxes was handed up; debate was held; was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 318

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS RELEVYING UNPAID SCHOOL, VILLAGE AND CITY TAXES

Your Committee on Finance, to which was referred the report of the Herkimer County Treasurer dated December 2, 2011 showing the amounts of taxes paid to the County Treasurer and the amount to be relevied as listed, namely \$4,660,105.08 of unpaid school taxes and \$1,601,490.02 of unpaid city and village taxes, respectfully reports that we have examined said report and recommend as follows:

RESOLVED, that the amounts of unpaid school taxes in the sum of \$4,660,105.08 with the addition of 7% and the amounts of unpaid city and village taxes in the sum of \$ 1,601,490.02 with the addition of 7% be relevied upon and collected from the lands of the several towns and the City of Little Falls as herewith listed, upon which the same were originally imposed.

Dated: December 14, 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. Russell, seconded by Mr. Peplinski, Report and Resolution No. 319 of the Committee on Ways and Means making appropriation for the conduct of county government for fiscal year 2012 was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski

No. 319

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
MAKING APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT
FOR THE FISCAL YEAR 2012**

WHEREAS, the County Legislature of the County of Herkimer, by Resolution dated December 14, 2011, has adopted the Budget for fiscal year 2012; now, therefore, be it

RESOLVED, pursuant to Section 360 of the County Law, that the several amounts specified in such budget in the Column entitled "Adopted" be, and hereby are, appropriated for the objects and purposes specified effective January 1, 2012.

Dated: December 14, 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. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 320 of the Committee on Ways and Means levying consolidated health taxes was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 320

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
LEVYING CONSOLIDATED HEALTH TAXES**

WHEREAS, by communication dated December 7, 2011 from the Director of Real Property Tax Services, your Committee on Ways and Means has been advised by the Supervisor of the Town of Frankfort of the need to raise the sum of Ten Thousand Dollars for the Consolidated Health District of the Town of Frankfort for the year 2012; and

WHEREAS, by said communication your Committee has been advised by the Supervisor of the Town of Winfield of the need to raise the sum of Two Hundred Fifty Dollars for the Consolidated Health District of the Town of Winfield for the year 2012; and

WHEREAS, by said communication your Committee has been further advised by the Supervisor of the Town of German Flatts of the need to raise the sum of Two Thousand Dollars for the Consolidated Health District of the Town of German Flatts for the year 2012; now, therefore, be it

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the taxable property situated in the following named towns in the amounts indicated below:

Town of Frankfort	\$10,000.00
Town of Winfield	\$ 2,000.00
Town of German Flatts	\$ 250.00

and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized, empowered and directed to pay said consolidated health taxes, when paid to the County Treasurer, to the president of the health district of said towns; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Director of Real Property Tax Services, and Towns of Frankfort, German Flatts and Winfield.

Dated: December 14, 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. Russell, seconded by Mr. Ackerman, Report and Resolution No. 321 of the Committee on Ways and Means levying taxes and assessments required for the purposes of annual budgets of the towns of the County of Herkimer was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 321

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
LEVYING TAXES AND ASSESSMENTS REQUIRED FOR THE PURPOSES OF
ANNUAL BUDGETS OF THE TOWNS OF THE COUNTY OF HERKIMER**

WHEREAS, there have been presented to this Legislature duly verified copies of the Annual Budgets of the several towns in the County of Herkimer for the fiscal year beginning January 1, 2012; now, therefore, be it

RESOLVED, that there shall be, and hereby is, assessed and levied upon, and there shall be collected from the taxable property situate in the Towns of the County, the amounts set forth as general townwide and highway townwide purposes; and in the named towns, outside of any incorporated village, wholly or partially located therein, the amount indicated for general outside village and highway outside village, and for consolidated health purposes, all as specified in the budgets for the respective towns as shown on the tabulation attached hereto; and, be it further

RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable therefor with the respective light, fire/fire protection, water, refuse, sewer and health districts, in the following towns, as indicated on the attached pages, the following amounts for the purposes of such districts, as specified in the respective annual budgets and the tabulation attached hereto; and, be it further

RESOLVED, that such taxes and assessments when collected shall be paid to the supervisors of the several towns in the amounts shown by this Resolution and the tabulation attached hereto for distribution by them in the manner provided by law.

Dated: December 14, 2011.

PATRICK E. RUSSELL

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

(Note: Refer to Index for Town Budget Table)

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 322 of the Committee on Ways and Means levying taxes for the year 2012 was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Hendrix, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: Rose (1).

Absent: Brezinski (1).

No. 322

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
LEVYING TAXES FOR THE YEAR 2012**

WHEREAS, this County Legislature, by resolution duly adopted on December 14, 2011, has adopted the Budget for the fiscal year 2012, and by Resolution this date has made appropriations for the conduct of county government for the fiscal year 2012; now, therefore, be it

RESOLVED, that to meet the amount of said appropriations this County Legislature hereby levies taxes pursuant to the provisions of Section 360 of the County Law and Section 900 of the Real Property Tax Law upon the taxable property in the County of Herkimer upon the valuation as equalized by it heretofore in the sum set forth in the chart hereto attached.

Dated: December 14, 2011.

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

(Note: Refer to Index for Tax Levy Table)

On motion of Mr. Russell, seconded by Mr. Hyde, Report and Resolution No. 323 of the Committee on Ways and Means adopting Forms and Footings was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 323

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
ADOPTING FORMS AND FOOTINGS**

Your Committee on Ways and Means, to which was referred the communication dated December , 2011 from the Director of Real Property Tax Services, submitting tabulation of real property tax assessments taken from the 2011 assessment roll, does respectfully report that we have examined said communication, inquired into the subject matter thereof, recommend that the sums as shown by the footings contained in the several tax rolls be used as a basis for taxation, and therefore offer the following Resolution:

RESOLVED, that the tables of figures, as reported to your Committee on Finance, be used as a basis for taxation in the City of Little Falls and the several towns of the County of Herkimer for the year 2012 and that levy be made from the Committee on Finance for the several districts.

Dated: December 14, 2011.

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

(Refer to Index for Forms and Footings Table)

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 324 of the Committee on Ways and Means adopting 2012 Equalization Table was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 324

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
ADOPTING 2012 EQUALIZATION TABLE**

Your Committee on Ways and Means of the County Legislature of the County of Herkimer, pursuant to Section 804 of the Real Property Tax Law, submits the following ratio of assessed valuation to full valuation, as determined by the Legislature of Herkimer County on real property of the several tax districts of said County liable to the general levy of the tax shown by the tabulated statement herewith; that the tax rate on the County Budget as established is \$5.305224 per \$1,000.00 full value.

Dated: December 14, 2011.

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

(Refer to Index for Equalization Table)

On motion of Mr. Russell, seconded by Mr. Korce, Report and Resolution No. 325 of the Committee on Ways and Means ratifying Memorandum of Agreement between the County of Herkimer and the Herkimer County Unit of the Civil Service Employees' Association, Inc. was handed up; debate was held, was voted on and adopted by roll call vote:

For: Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: Piseck (1).

Absent: Brezinski (1).

No. 325

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF
HERKIMER AND THE HERKIMER COUNTY UNIT OF THE CIVIL SERVICE
EMPLOYEES' ASSOCIATION, INC.**

WHEREAS, your Committee on County Personnel has been negotiating with the Herkimer County Unit of the Civil Service Employees' Association, Inc. concerning the terms and conditions of those employees included or to be included in the Negotiating Unit represented

by said Herkimer County Unit and has tentatively agreed on such terms and conditions of employment for the period from January 1, 2010 through December 31, 2014, subject to ratification by the Herkimer County Legislature; and

WHEREAS, said Memorandum of Agreement modifies, amends and/or replaces certain provisions of the 2006-2009 Agreement between the County of Herkimer and the Herkimer County Unit of the Civil Service Employees' Association, Inc. and continues all other provisions of said Agreement; and

WHEREAS, your Committee has been informed by letter dated December 9, 2011 that the Herkimer County Unit of the Civil Service Employees' Association, Inc. has ratified said Memorandum of Agreement; and

WHEREAS, the terms expressed in said Memorandum of Agreement have been fully explained to the Herkimer County Legislature and the Legislature is satisfied that the ratification of this Memorandum of Agreement is in the best interests of both the County of Herkimer and its employees; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby ratifies the Memorandum of Agreement entered into by the Committee on Ways and Means and the Herkimer County Unit of the Civil Service Employees' Association, Inc.;

2. That the Committee on Ways and Means is authorized and directed to incorporate the terms of said Memorandum of Agreement in a new Agreement with the Herkimer County Unit of the Civil Service Employees' Association, Inc. and the Chairman of this Legislature is authorized to execute said Agreement when prepared on behalf of the County of Herkimer;

3. That certified copies of this Resolution be forwarded to the Herkimer County Unit of the Civil Service Employees' Association, Inc., Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, President of Herkimer County Community College and all other county department heads.

Dated: December 14, 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. Korce, seconded by Mr. Russell, Report and Resolution No. 326 of the Committee on Ways and Means adjusting wages for hourly employees was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 326

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
ADJUSTING WAGES FOR HOURLY EMPLOYEES**

WHEREAS, by letter dated December 10, 2010 from James W. Wallace, Jr., County Administrator, this Legislature is advised that pursuant to Resolution No. 325 ratifying the Memorandum of Agreement with the Herkimer County Unit of the Civil Service Employees' Association, adjustments must be made to the salaries for the year 2011 and 2012 for certain employees of the County in various departments who are paid on an hourly basis; now, therefore, be it

RESOLVED:

1. That the wages of all employees of the County of Herkimer paid pursuant to the hourly scale for graded employees be and hereby is, established for the years 2011 and 2012 as follows:

<u>Grade</u>	<u>Hourly Wage 2011</u>	<u>Hourly Wage 2012</u>
1	6.55	6.55
2	7.25	7.25
3	7.28	7.28
4	7.79	7.79
5	8.00	8.00
6	8.50	8.50
7	9.19	9.19
8	9.38	9.38
9	9.56	9.56
10	10.56	10.56
11	10.67	10.88

and, be it further

RESOLVED, that the following rates are hereby established for the following positions for the year 2011:

<u>Title</u>	<u>2011 Rate</u>	<u>2012 Rate</u>
Part-time Motor Vehicle Clerk (Old Forge)	\$13.44/hr	\$13.44
Part-time Photocopy Machine Operator	\$13.18/hr.	\$13.18
Full-time Data Collectors	\$11.47/hr.	\$11.70
Part-time Data Collectors	\$11.03/hr.	\$11.03
Senior Data Collector	\$16.70/hr.	\$17.03
Court Attendants (per diem)	\$60.40 per day	\$60.40 per day
Part-time Building Maintenance Worker (Jail)	\$9.63/hr.	\$ 9.63/hr.
Part-time RN (6031)	\$21.40/hr.	\$21.40/hr.
Part-time Senior Telecommunicator	\$14.47/hr.	\$14.47/hr.
Part-time Public Safety Telecommunicator (E-911)	\$12.30/hr	\$12.30/hr.
Part-time Typist (A1420)	\$12.25/hr.	\$12.25/hr.
Part-time Account Clerk (A4010)	\$13.16/hr.	\$13.16/hr.
Part-time Principal Account clerk (Mental Health)	\$16.00/hr.	\$16.00/hr.
Part-time Computer Programmer (A1680)	\$24.50/hr.	\$24.50/hr.
Polling Site Coordinator (Board of Elections)	\$15.00/hr.	\$15.00/hr.
Voting Machine Technician (Board of Elections)	\$25.00/hr.	\$25.00/hr.
Part-time Community Health Nurse (Public Health)	\$19.77/hr.	\$19.77/hr.

RESOLVED, that any rate adjustments for 2011 pursuant to the ratified Memorandum of Agreement with the Civil Service Employees' Association shall be made retroactive to January 1, 2011; and, be it further

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

Dated: December 15, 2010.

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. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 327 of the Committee on County Properties concerning premises in the City of Little Falls was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 327

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES
CONCERNING PREMISES IN THE CITY OF LITTLE FALLS**

WHEREAS, premises at 521-527 Garden Street in the City of Little Falls were the subject of the County's 2009 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the County of Herkimer withdrew those premises from the In Rem Proceedings pending action taken by the City of Little Falls; and

WHEREAS, the City of Little Falls has adopted a resolution agreeing to hold Herkimer County harmless in connection with the premises if the County will take title to those premises and convey them to the City; and

WHEREAS, the City has also agreed that in the event the premises are eventually sold and the City receives more than its demolition costs at such sale, any overage will be paid to the County, with grant funds not being considered in calculating the amount due to the County; and

WHEREAS, the unreimbursed 2009, 2010 and 2011 taxes total \$25,929.55 as of December 8, 2011; now, therefore, be it

RESOLVED, that the County of Herkimer hereby agrees to restore this parcel to its In Rem Proceedings and seek to take title to the premises, and thereafter transfer the premises to the City of Little Falls, with the City indemnifying the County and holding it harmless from any suit, claim, cause of action or cost of any kind or nature in connection with the premises, including any such issue related to environmental contamination or cleanup of or otherwise related to the premises; and, be it further

RESOLVED, that this Legislature further determines that there is no practicable method to enforce the collection of tax liens on the premises and that a supplementary proceeding to enforce collection will not be effective; and, be it further

RESOLVED, that upon conveyance of the premises to the City of Little Falls, the delinquent tax liens on the premises located at 521-527 Garden Street shall be canceled; and, be it further

RESOLVED, the Chairman of this Legislature is hereby authorized to execute all necessary contracts and deeds in connection with accomplishment of the above transfer; and, be it further

RESOLVED, that upon such conveyance the Enforcing Officer is hereby authorized to issue and file a Certificate of Cancellation of the said taxes; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Property Agent and City of Little Falls.

Dated: December 14, 2011.

BRUCE WEAKLEY
JOHN J. PISECK, JR.
VINCENT J. BONO
JEAN E. MANEEN
JEFFREY M. STONE
KURT J. ACKERMAN
Committee on County Properties

On motion of Mr. Hyde, seconded by Mr. Peplinski, Report and Resolution No. 328 of the Committee on Natural Resources and Ways and Means awarding bid for chemical at Herkimer County Sewer District was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 328

REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES AND WAYS AND MEANS AWARDING BID FOR CHEMICAL AT HERKIMER COUNTY SEWER DISTRICT

WHEREAS, by letter dated December 8, 2011, the Budget Officer/Purchasing Agent has advised that bids were received in accordance with law for the provision of hydrated lime for the Herkimer County Sewer District; and

WHEREAS, by said letter it is recommended that the bid for lime be awarded to Madigan Lime Corporation of Harvard, Massachusetts, in the amount of \$230 .00 per ton delivered, which was the lowest bid received; now, therefore, be it

RESOLVED, that the bid for Hydrated Lime for the Herkimer County Sewer District be awarded to Madigan Lime Corporation, Shaker Road, Box 745, Harvard, Massachusetts, in the amount of \$230.00 per ton delivered; and, be it further

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

Dated: December 14, 2011.

BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
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. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 329 of the Committees on County Properties and Ways and Means concerning change order on contract for Curtainwall at Herkimer County Office and Courts Facility was handed up; there being no debate, was voted on and adopted by voice vote:

For: (15).

Against: Hyde (1).

Absent: Brezinski (1).

No. 329

**REPORT AND RESOLUTION OF THE COMMITTEES ON COUNTY PROPERTIES
AND WAYS AND MEANS CONCERNING CHANGE ORDER ON CONTRACT FOR
CURTAINWALL AT HERKIMER COUNTY OFFICE AND COURTS FACILITY**

WHEREAS, by Resolution No. 241 adopted on October 5, 2011 this Legislature awarded a contract in the amount of \$66,480.00 to R.E. Alexander Company of Marcy, New York for construction of improvements to the Herkimer County Office and Courts Facility Entrance curtainwall; and

WHEREAS, your Committees have been informed by letter dated December , 2011 from Bernard E. Decker, Budget Officer and Purchasing Agent, that a change order on said contract has been received from the Richard E. Alexander Company to replace window panels in the existing curtainwall at the Office and Courts Facility, with the cost of the option recommended by the architects Mmarch Associates to be in the total amount of \$8,133.75; and

WHEREAS, your Committees have reviewed said letter concerning said change order and recommend acceptance of same; now, therefore, be it

RESOLVED, that the change order in the contract entered into pursuant to Resolution No. 241 adopted on October 5, 2011 with R.E. Alexander Company, 8 Scharback Drive, Marcy, New York 13403, to replace window panels in the existing curtainwall at the Office and Courts Facility, with the cost of the option recommended by the architects March Associates to be in the total amount of \$8,133.75, for an increase in the total contract amount from \$66,480.00 to \$74,613.75; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to sign said Change Order 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, March Associates and R.E. Alexander Company.

Dated: December 14, 2011.

BRUCE WEAKLEY
JOHN J. PISECK, JR.
VINCENT J. BONO
JEAN E. MANEEN
JEFFREY M. STONE
KURT J. ACKERMAN
Committee on County Properties

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. 330 of the Committee on County Planning and Development and the Committee on Ways and Means concerning guarantee of 2012 Tourism Matching Funds was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 330

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS CONCERNING GUARANTEE OF 2012 TOURISM MATCHING FUNDS

WHEREAS, the New York State Tourist Promotion Act provides that the State of New York will match funds with the applicant tourist promotion agency, which may include radio, television, newspapers and magazine advertising; and

WHEREAS, by letter dated October 26 , 2010 from the Town of Webb, this Legislature is advised of a request to authorize the Chairman of this Legislature to send a letter to the New York State Division of Tourism “I Love NY” Campaign to guarantee Herkimer County’s 2012 matching funds in the amount of \$28,600.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to send a letter to the New York State Division of Tourism “I Love NY” Campaign to guarantee Herkimer County’s 2012 matching funds in the amount of \$28,600.00; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Town of Webb and the New York State Division of Tourism.

Dated: December 14, 2011.

JOHN J. PISECK
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD E. PEPLINSKI
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. Russell, seconded by Mr. Shaw, Report and Resolution No. 331 of the Committee on County Planning and Development authorizing application for matching funds under the State Tourist Promotion Act was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 331

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AUTHORIZING APPLICATION FOR MATCHING FUNDS UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

WHEREAS, the New York State Tourist Promotion Act provides that the State of New York will match funds with the applicant tourist promotion agency, which may include, radio, television, newspapers and magazine advertising; and

WHEREAS, Tourist Promotion Agency means any not-for-profit corporation or other non-profit organization, association or agency, which shall be designated by resolution of the County Legislature as the agency specified in the New York State Tourist Promotion Act, provided that the applicant has operated a tourist promotion program for at least three years prior to the enactment of the Act; and

WHEREAS, the Town of Webb has contacted your Committee by communication dated October 26, 2010 and requested that it be designated by the Herkimer County Legislature as a tourist promotion agency within the meaning of the New York State Tourist Promotion Act for the year 2011; and

WHEREAS, the Town of Webb has advised your Committee that it will appropriate the necessary funds to match the state funds for this Program; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby designates the Town of Webb as a tourist promotion agency within the County of Herkimer effective this date within the meaning of the New York State Tourist Promotion Act; and

2. That the Herkimer County Legislature hereby authorizes the Town of Webb to make application for and to receive matching funds under the New York State Tourist Promotion Act for the calendar year 2011;

3. That the Herkimer County Legislature hereby certifies that the Town of Webb has acted as a Tourist Promotion Agency and has been in operation for three years in such capacity prior to the enactment of the said Act;

4. That certified copies of this Resolution be forwarded to the Town of Webb and the New York State I LOVE NY Program.

Dated: October 27, 2010.

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

On motion of Mr. Bono, seconded by Mr. Peplinski, Report and Resolution No. 332 of the Committees on Human Resources and Ways and Means amending Resolution No. 162 of 2011 authorizing extension of contract with Catholic Charities of Herkimer County for a Youth Violence Prevention Program for Schools in Herkimer County was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No 332.

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND
WAYS AND MEANS AMENDING RESOLUTION NO. 162 OF 2011 AUTHORIZING
EXTENSION OF CONTRACT WITH CATHOLIC CHARITIES OF HERKIMER COUNTY
FOR A YOUTH VIOLENCE PREVENTION PROGRAM FOR SCHOOLS IN HERKIMER
COUNTY**

WHEREAS, by Resolution No. 147 for the year 2010 this Legislature authorized a contract between Catholic Charities of Herkimer County and the Herkimer County Department of Social Services in the amount of \$30,000.00 for the provision of the TREATY program (Teaching Reconciliation in Education to Administrators, Teachers and Youth) for the 2010-2011 school year, which is a youth violence prevention program with a curriculum goal to make schools safer and more supportive for students; and

WHEREAS, by Resolution No. 162 adopted on June 15, 2011, this Legislature approved an extension of a contract with Catholic Charities of Herkimer County, 61 West Street, Ilion,

New York, and the Herkimer County Department of Social Services, for the provision of the TREATY program for the 201102012 school year to help control the threat of youth violence in schools, at a cost of \$27,500.00, with \$2,500.00 of said funding to come from the Herkimer County STOP-DWI Program and \$5,000 of said funding to come from the Herkimer County Mental Health Department; and

WHEREAS, by letter dated December 13, 2011 from James W. Wallace, Jr., this Legislature is advised that it will be necessary to amend said resolution to include a contract between Catholic Charities and the Herkimer County STOP-DWI Program in the amount \$2,500.00 for the 2011-2012 school year; now, therefore, be it

RESOLVED, that Resolution No. 162 adopted on June 15, 2011 is hereby amended to include an additional Resolved Clause as follows:

“RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract on behalf of the County of Herkimer between Catholic Charities and the Herkimer County STOP-DWI Program in the amount of \$2,500.00 for the 2011-2012 school year”

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioner of Social Services, STOP-DWI Coordinator and Catholic Charities of Herkimer County.

Dated: December 14, 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
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mrs. Maneen, seconded by Mr. Keblish and Mr. Shaw, Resolution No. 333 of the Committee on Administration/Veterans Affairs requesting the moving of New York State's September Primary Date to the same date as the Federal Primary Date was handed up; debate was held, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 333

RESOLUTION OF THE COMMITTEES ON ADMINISTRATION/VETERANS' AFFAIRS
REQUESTING THE MOVING OF NEW YORK STATE'S SEPTEMBER PRIMARY DATE
TO THE SAME DATE AS THE FEDERAL PRIMARY DATE

WHEREAS, a denial of waiver has been issued by the court in the matter of USA v. State of New York & SBOE, the so-called "MOVE Act lawsuit", and

WHEREAS, this denial of waiver will potentially cause there to be scheduled three separate primaries in 2012; and

WHEREAS, an additional third primary had neither been expected nor been budgeted for the Herkimer County Board of Elections submitted 2012 budget, creating an unexpected financial burden; now, therefore, be it

RESOLVED, that the Herkimer County Legislature urges the State of New York to schedule the September primary on the same date as the Federal primary, thereby avoiding the imposition of costs upon the County associated with a third party; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioners of Herkimer County Board of Elections, Senator James L. Seward, Assemblyman Marc W. Butler and NYSAC.

Dated: December 14, 2011.

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

On motion of Mr. Russell, seconded by Mr. Ackerman, Resolution No. 334 of the Committee on Ways and Means authorizing payment of dues for municipal officers and employees during the year 2012 was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 334

RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AUTHORIZING PAYMENT
OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2012

RESOLVED, that dues are hereby authorized to be paid for the county officers and employees in those organizations specifically set forth as attached, which payments shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and each county officer and/or department listed.

(See Index for Attachment)

On motion of Mr. Russell, seconded by Mr. Weakley and Mr. Shaw, Resolution No. 335 of the Committee on Ways and Means authorizing attendance at conferences for municipal officers and employees during the year 2012 was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 335

RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2012

RESOLVED, that the following county officials and employees be, and they hereby are, authorized during the year 2012 to attend the following official and unofficial conventions and conferences of municipal officers which this Legislature believes to be for the benefit of the County of Herkimer, and that while in attendance at such conventions they will be reimbursed for the expenses actually and necessarily incurred for transportation and hotel expenses and expenses pertaining to said conventions, which amounts shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid.

ADMINISTRATOR: The Herkimer County Legislature hereby delegates the power to the Chairman of the Legislature to authorize the County Administrator to attend conventions, conferences and schools in accordance with Section 77-b of the General Municipal Law.

AGING, OFFICE FOR - DIRECTOR: Conferences and meetings called by the New York State Office for Aging and Point of Entry, NYS Association of Area Agencies on Aging and NYS Coalition for the Aging. Also, the Nutrition Services Coordinator, Caseworker, Aging Services Assistant, WRAP Coordinator and Home Energy Assistance Examiners to attend all conferences and training sessions to be conducted by the New York State Office for Aging (approximately six). Director and Nutrition Services Coordinator - meetings called by National Association of Nutrition and Aging Services Programs and the Meals on Wheels Association of America.

ATTORNEY AND ASSISTANT COUNTY ATTORNEYS: New York State Association of Counties and New York State County Attorneys Association, Central New York Bankruptcy Bar Association Conference.

BUDGET OFFICER AND PURCHASING AGENT: New York State Association of Counties, Finance School, and Association of Budget Officers Meetings.

PERSONNEL OFFICER AND PERSONNEL ASSISTANT: New York State Association of Counties, New York State Association of County Personnel and Civil Services Officers, New York State Society for Human Resource Management.

CLERK AND DEPUTY CLERK OF COUNTY LEGISLATURE: New York State Association of Counties, New York State Association of Clerks of County Legislative Boards.

CORONERS: (Three coroners) NYSACCME

COUNTY CLERK AND DEPUTY COUNTY CLERK: County Clerks' Association Conference, New York State Association of Counties and County Clerks Association special meetings. **RECORDS MANAGEMENT:** NYALGRO Meetings

INFORMATION SERVICES: Data Processing Directors Conference

WEIGHTS AND MEASURES DIRECTOR: NYS Annual Weights and Measures Training, Weights and Measures Technical Training School and Semi-Annual NYS Central Group Conference and Training.

DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS: New York State District Attorneys Association. Victim Services Coordinator to attend conferences and seminars called by New York State Crime Victims Board.

ELECTIONS, COMMISSIONERS OF THE BOARD OF: New York State Election Commissioners Association, New York State Association of Counties, Annual Seminar of Election Commissioners. Also, one clerk to attend the Annual Seminar on an alternating basis.

EMPLOYMENT AND TRAINING ADMINISTRATION - DIRECTOR AND STAFF: Any meetings called by the United States Department of Labor, the New York State Department of Labor, the New York State Association of E.T.A. Administrators, National Association of County Officials, New York State Association of Training and Employment Professionals, conferences State, Federal and National for the Workforce Investment Act, and NYS Association of Counties.

YOUTH BUREAU - EXECUTIVE DIRECTOR: Conferences and seminars called by the New York State Office of Children and Family Services, and Association of New York State Youth Bureaus

DIRECTOR AND DEPUTY DIRECTOR OF EMERGENCY SERVICES: NYS Fire Coordinators Conference, NYS Regional Fire Administrators Conference, NYS Disaster Preparedness Conference, NYS Emergency Management Association Conference, NYS E911 Coordinators Conference (Director and Communications Supervisor).

HIGHWAY SUPERINTENDENT AND PRINCIPAL CIVIL ENGINEER AND/OR DEPUTY SUPERINTENDENT: New York State County Highway Superintendents Meetings and Conferences, Statewide Conference on Local Bridges

SENIOR CIVIL ENGINEER: New York State Land Surveyors Conference.

DEPUTY SUPERINTENDENT OF HIGHWAYS, HIGHWAY MAINTENANCE SUPERVISOR, SENIOR CIVIL ENGINEER: Hazardous Materials/Safety Meetings called by OSHA/Safety Officers Association.

LEGISLATORS: New York State Association of Counties, and Towns Association, MVEDD

MENTAL HEALTH - DIRECTOR OF COMMUNITY SERVICES AND/OR ONE MEMBER: New York State Association of Community Mental Health Boards Annual Meeting, New York State Conference of Mental Hygiene Directors.

PLANNING BOARD (two members): Annual Planning and Zoning Seminar.

PROBATION DIRECTOR: New York State Probation Administrators Conferences, New York State Association of Counties, New York State Division of Probation and Correctional Alternatives Conference, Training Seminars and Statewide Symposium for Probation Directors, New York Association of Pre-trial Service Agencies Conferences/Training, New York State Division of Probation and Correctional Alternatives, and/or New York State Office of Children and Family Services Conferences/Training relating to PINS Adjustment Services Program, Annual Symposium on State/Local Corrections, New York State Probation Officers Conference, American Probation & Parole Association Training Institute/Conferences, Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Annual Meeting/Conference.

PROBATION SUPERVISOR (two): New York State Division of Probation and Correctional Alternatives Conferences and Training Seminars, New York State Association of Pretrial Service Agencies Conferences and Training, New York State Division of Probation and Correctional Alternatives and/or New York State Office of Children and Family Services Conferences/Training relating to PINS Adjustment Services Program, Annual Symposium on State/Local Corrections, New York State Probation Officers Conference, American Probation & Parole Association Training Institutes/Conferences. Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Annual Meeting/Conference.

SENIOR PROBATION OFFICER (three) PROBATION OFFICERS/TRAINEES (twelve): New York State Division of Probation and Correctional Alternatives Conferences and Training

Seminars, Annual Symposium on State/Local Corrections (five), New York State Probation Officers Conference (six), American Probation & Parole Association Training Seminars/Institutes, NYS Assoc. For Pretrial Service Agency Conferences/Training (five).

PUBLIC HEALTH NURSING SERVICE - DIRECTOR OF PUBLIC HEALTH OR DESIGNEE: New York State Association of Counties Meetings/Conference; Director of Public Health and Director of Patient Services to attend Conferences/Meetings called by Commissioner of Health and nine meetings per year, staff to attend NYS AIDS Task Force Annual Meeting, Annual Immunization Action Conference; Early Intervention: Annual Early Intervention Conference, St. Luke's Developmental Intervention Conference; PCAP staff to attend New York State Perinatal Association Conference; Healthy Families Grant: FAW Core Training for Assessment Worker, Child Abuse & Neglect, Infant Massage, Bank Street college Infant & Toddler Seminar.

REAL PROPERTY TAX SERVICE AGENCY - DIRECTOR: New York State Association of Counties and Towns, State continuing education courses to fulfill annual requirements; New York State Directors Association Annual Conference/meetings; New York State Assessors Association Annual Conference; County Assessors, Real Property Tax Specialist, Real Property Tax Aide, Senior Tax Map Technician and Tax Map Technician and Data Collectors to attend meetings and work related seminars, training sessions and courses. All other departmental employees in need of attending training courses, as approved by the County Administrator. Assessor Aide to attend training session to receive certification.

SEWER DISTRICT - SECRETARY TO THE SEWER BOARD AND CHIEF SEWAGE TREATMENT PLANT OPERATOR. New York State Water Environment Association, and New York State Association of Counties. New York State Department of Environmental Conservation. District Legal Counsel to attend conferences approved by Planning and Development Committee.

SEWER BOARD CHAIRMAN: New York State Association of Counties.*

SEWER BOARD CHAIRMAN, BOARD MEMBERS, ATTORNEY and CHIEF SEWAGE TREATMENT PLANT OPERATOR: Attendance at Sludge Treatment/Disposal Conferences when deemed beneficial to the District.

*In the event the Secretary to the Sewer Board, Chief Sewage Treatment Plant Operator and/or Chairman of Sewer Board elect not to attend the New York State Association of Counties, the following individuals at the discretion of the Sewer Board may be designated as alternatives (not to exceed two individuals at any conference): Board Members, Attorney for Sewer District, Deputy Secretary to Board.

SHERIFF AND UNDERSHERIFF: Law Enforcement Training Directors Association of New York State, New York State Sheriffs' Association, Bureau of Municipal Police and New York State Commission of Correction. Also, as needed, employees to attend programs sponsored by: NYS Sheriff's Association, NYS Department of Corrections, NYS County Correctional

Instructors Association, NYS Police Conferences, Training or Seminars, NYS Office of Mental Health, NYS Division of Criminal Justice Services, East Coast Gang Investigators Association Conferences, National Institute of Justice, International Association of Hostage Negotiators, NYS Association of Incarcerated Education Programs, NYS Department of Environmental Conservation, NYS Office of Parks, Recreation and Historic Preservation, NYS Department of Corrections, New York State County Correctional Instructors Association, National Police Bloodhound Association, Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) Annual Meeting/Conference, NYS Commission of Correction, NYS DARE Officers Association, NYS Welfare Fraud Investigators, NYS Office of Parks, Recreation and Historic Preservation, Federal Bureau of Investigation and National Institute of Corrections, NYS Division of Criminal Justice Services and Office of Public Safety, National Sheriffs Association, Black Creed Integrated Systems, NYS Association of Counties, Linstar, Inc., Governor's Traffic Safety Committee

SOCIAL SERVICES - COMMISSIONER: New York Association of Counties, New York State Office of Family Assistance, New York State Office of Children and Family Services, New York State Department of Health, New York State Department of Labor, New York Public Welfare Association, Inc. and New York State Association of Training and Employment Professionals, NYS Welfare Fraud Investigators Association meetings. No more than eight of the following personnel are authorized to attend any one conference or workshop called by the New York State Department of Temporary and Disability Assistance, and no more than five are authorized to attend any one conference or workshop (twice during a year) called by the New York Public Welfare Association:

Director of Administrative Services, Director of Social Services, Head Social Welfare Examiner, Special Assistant to Commissioner of Social Services/Staff Developer, Employment Counselor, WMS Coordinator, Grade B Supervisor, Principal Social Welfare Examiner, Senior Caseworker, Principal Account Clerk, Account Clerk, Resource Assistant, Employment and Training Coordinator, Senior Social Welfare Examiner, Welfare

Fraud Investigator, Social Welfare Examiner, Caseworker, Senior Clerk, Attorneys, Secretary to the Commissioner of Social Services, Child Support Enforcement Coordinator, Social Services Employment Coordinator, Country Manor Superintendent, Clerk, Typist, Support Investigator, Data Entry Operator, Account Clerk Typist, Community Services Aide, Homemakers, and Caseworker Aide. CPS Caseworker, CPS Senior Caseworker, CPS Grade B Supervisor, HEAP Examiner and Social Services Investigator, Senior Microcomputer Operator, Computer Operator, Managed Care Coordinator, Photo Machine Operator.

STOP-DWI PROGRAM COORDINATOR: STOP-DWI Coordinators meetings, New York State Department of Motor Vehicle Conferences, and Seminars pertaining to the STOP-DWI Program.

TREASURER: County Finance School, County Treasurers Association, Government Finance Officers Association Annual Conference. Also, County Property Agent, and two other designated persons to attend New York State Association of Counties Finance School, NYSAC

Annual meeting, County Treasurers Association Annual Conference, County Treasurers Quarterly Meetings.

VETERANS' DIRECTOR AND SERVICE OFFICER: Conferences called by the New York State Division of Veterans Affairs and Conferences called by the County Veterans' Service Officers Association of New York State, American Legion Annual Advanced Training conducted in New York or Indianapolis, Indiana, Management Assistance Council meetings regarding the VA medical Center At Syracuse/Rome, and meetings requested by U.S. Senator Kristen Gillibrand, Congressman Richard Hanna, New York State Assemblyman Marc Butler and State Senator James Seward regarding Veterans Affairs and special events regarding veterans benefits and programs that Director is invited as guest.

Dated: December 14, 2011.

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

On motion of Mr. Russell, seconded by Mr. Weakley and Mr. Shaw, Resolution No. 336 of the Committee on Ways and Means approving standard work day and retirement reporting for elected and appointed officials was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 336

**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)
Appointed Officials							
Commissioner of Elections	Kathleen A. Farber	████	████████	6	6/6/11-12/31/12	N	25.57
Commissioner of Social Services	Timothy J. Seymour	████	████████	7	10/1/11-10/1/16	Y	n/a

Dated: December 14, 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. Hendrix, seconded by Mr. Hyde, Resolution No. 337 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing contract with surveyor for Herkimer County Correctional Facility Project was handed up; debate was held, was voted on and adopted by voice vote:

For: Ayes (14).

Against: Rose, Korce (2).

Absent: Brezinski (1).

No. 337

RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH SURVEYOR FOR HERKIMER COUNTY CORRECTIONAL FACILITY PROJECT

WHEREAS, in connection with the proposed construction of a New Herkimer County Correctional Facility at the former P & C site on New York State Route 28 in the Town and Village of Herkimer it will be necessary to determine the property lines with certainty; and

WHEREAS, the County has solicited proposals from surveyors in order to complete a boundary line survey of the parcel; and

WHEREAS, four proposals were received from surveyors, the lowest of those being a proposal from Blanchard Land Surveying of 711 Old State Road, Poland, New York, J. Scott Blanchard owner, in the amount of \$3,500.00 and an hourly rate of \$65.00 for any additional work or testimony which is required in eminent domain proceedings; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Blanchard Land Surveying, J. Scott Blanchard, owner, to perform a survey of the former P & C site on New York State Route 28 in the Town and Village of Herkimer in the amount of \$3,500.00, and \$65.00 an hour for additional work or testimony in connection with eminent domain proceedings; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget officer and Blanchard Land Surveying.

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

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. Hendrix, seconded by Mr. Ackerman, Resolution No. 338 of the Committee on Public Safety/Emergency Management appointing coroner was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 338

**RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY
MANAGEMENT APPOINTING CORONER**

WHEREAS, Daniel J. Enea, Coroner for District No. 3 of the County of Herkimer has submitted his resignation as Herkimer County Coroner effective November 21, 2011; and

WHEREAS, there is presently a vacancy in the said position; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby appoints Vincent A. Enea, 102 Del Rose Lane, Herkimer, New York 13350, to fill the unexpired term of Daniel J. Enea until December 31, 2015, in accordance with the provisions of Section 400, subdivision 7 of the County Law; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Clerk, Personnel Officer and Vincent A. Enea.

Dated: December 14, 2011.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Russell, seconded by Mr. Peplinski, Resolution No. 339 of the Committee on Ways and Means approving the completed tax rolls of the several towns and the City of Little Falls, directing the execution and delivery of warrants for the collection of the taxes extended therefor pursuant to Section 404 of the Real Property Tax Law was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None.

Absent: Brezinski (1).

No. 339

**RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS APPROVING THE
COMPLETED TAX ROLLS OF THE SEVERAL TOWNS AND THE CITY OF LITTLE**

FALLS, DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF THE TAXES EXTENDED THEREFOR PURSUANT TO SECTION 904 OF THE REAL PROPERTY TAX LAW

WHEREAS, upon the tax rolls of the several towns and the City of Little Falls, several taxes have been, by the Director of Real Property Tax Services, duly extended as provided by law, and said completed tax rolls have been laid before this Legislature for its approval; now, therefore, be it

RESOLVED, that the said tax rolls be approved as so completed, and that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes thereon as set forth therein; and, be it further

RESOLVED, that there be annexed to each of said rolls a warrant in the form prepared by the Director of Real Property Tax Services and the Clerk as provided in Section 904 of the Real Property Tax Law and laid before this Legislature in the respective amounts authorized to be levied upon each of said rolls; that the several warrants be signed by the Chairman and the Clerk of this Legislature, under the seal of the Legislature, and shall be delivered to the respective collectors of the several tax districts in the County of Herkimer.

Dated: December 14, 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. Korce, seconded by Mr. Keblish and Mr. Bono, Resolution No. 340 approving minutes was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 340

RESOLVED, that the minutes as finally read by the Clerk, and each day read and accepted be, and the same hereby are, approved and that the same be signed by the Chairman and

the Clerk of the Herkimer County Legislature and be declared to be a correct and full account of the Proceedings of the Herkimer County Legislature for the year 2011.

Dated: December 14, 2011.

DENNIS KORCE

On motion of Mr. Stone, seconded by Mr. Shaw, Resolution No. 341 the Chairman's and Clerk's Certificate was handed up; there being no debate, was voted and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Brezinski (1).

No. 341

CHAIRMAN'S AND CLERK'S CERTIFICATE

We, Raymond Smith, Chairman, and Carole L. LaLonde, Clerk of the Herkimer County Legislature, do hereby certify that the foregoing Proceedings of the County Legislature, typographical errors excepted, are a true and correct transcript of the Proceedings of the Legislature of the County of Herkimer for the Special, Regular and Annual Sessions of 2011, and the same be printed in the volume by authorization of said Herkimer County Legislature.

Dated: December 14, 2011.

RAYMOND SMITH
Chairman, Herkimer County
Legislature
CAROLE LALONDE
Clerk, Herkimer County
Legislature

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

On motion of Mr. Keblish, seconded by Mr. Manno, the Legislature adjourned without date at 8:17 p.m.