

MINUTES
Herkimer County Legislature
Fourth Quarter – Second Day
Wednesday, October 23, 2019
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 7:15 p.m.

Chairman Peplinski called on Kathy Fox, to lead the Legislature in the Pledge of Allegiance.

Chairman Peplinski called for a moment of silence in recognition of all veterans, past and present.

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

Present: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (16).

Absent: Campione (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of October 2, 2019. There were none, and the Chairman ordered them approved.

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

Chairman Peplinski 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. Mr. Johnson requested Communication No. 434 be read.

No. 409 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 410 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Public Health. Referred to the Committee on Ways & Means.

No. 411 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Sewer District. Referred to the Committee on Ways & Means.

No. 412 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Highways. Referred to the Committee on Ways & Means.

No. 413 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds for New Correctional Facility. Referred to the Committee on Ways & Means.

No. 414 – A communication was received from the Budget Officer/Purchasing Agent requesting closure of reserve accounts. Referred to the Committee on Ways & Means.

No. 415 – A communication was received from the Budget Office/Purchasing Agent requesting closure of reserve account. Referred to the Committee on Ways & Means.

No. 416 – A communication was received from the County Treasurer submitting letter relating to cancelled taxes and rejected taxes for 2019. Referred to the Committee on Ways & Means.

No. 417 – A communication was received from the County Treasurer requesting designation of depositories of County funds for 2019. Referred to the Committee on Ways & Means.

No. 418 – A communication was received from the Director of Emergency Services requesting to accept grant funding and authorizing e-signature in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 419 – A communication was received from the Director of Office for the Aging requesting to award contract for Meals on Wheels in the Old Forge area. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 420 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grant and to amend budget in connection with receipt of Stop-DWI funding. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 421 – A communication was received from the Stop-DWI Coordinator submitting letter to accept grant and amend budget. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 422 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grant, amend budget and authorized e-signature in connection with grant funding in Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 423 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grant, amend budget and authorize e-signature in Sheriff's Department. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 424 – A communication was received from the Sheriff requesting approval of agreements with school districts for placement of officers at schools. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 425 – A communication was received from the Sheriff requesting renewal of contract for court security. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 426 – A communication was received from the Commissioner of DSS requesting to accept grant and authorize contract in DSS. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 427 – A communication was received from Mark R. Rose, Village of Ilion Attorney requesting to cancel tax lien on premises in the Village of Ilion. Referred to the Committee on County Properties.

No. 428 – A communication was received from the Budget Officer/Purchasing Agent requesting to purchase phone system and authorize transfer in Highway Department. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 429 – A communication was received from the Budget Officer/Purchasing Agent requesting approval for purchase of radio communications network for new Correctional Facility. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 430 – A communication was received from Michael J. Farmer, Town of Webb Tourism/Publicity Director, requesting designation for the Town of Webb as Tourist Promotion Agency. Referred to the Committee on County Planning & Development.

No. 431 – A communication was received from Michael J. Farmer, Town of Webb Tourism/Publicity Director, requesting letter of Guarantee for 2020 New York State Matching Funds. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 432 – A communication was received from the Budget Officer/Purchasing Agent requesting to award bid for a Remote Net Metering purchase agreement for the County and the College. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 433 – A communication was received from the Director of Probation requesting to accept grant and authorize e-signature. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 434 – A communication was received from the County Attorney advising of receipt of Notice of Claim. Filed.

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

The Chairman proceeded with Reports and Resolutions beginning with the consent agenda.

On motion of Mr. Ackerman, seconded by Mr. Shaw, Resolutions No. 273 – Resolution No. 278 were handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

- 273 WAYS & MEANS: Authorizing transfers of funds in Public Health
- 274 WAYS & MEANS: Authorizing transfer of funds in Sewer District
- 275 WAYS & MEANS: Authorizing transfers of funds in Highway Department
- 276 WAYS & MEANS: Authorizing transfer of funds
- 277 WAYS & MEANS: Closing reserve accounts
- 278 WAYS & MEANS: Closing reserve account

The Chairman continued with the Regular Agenda.

On motion of Mr. Bono, seconded by Mr. Ackerman, Report and Resolution No. 279 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means authorizing note and mortgage with IDA was handed up for discussion.

Legislator Brezinski requested a roll call vote:

For: Malta, Gaworecki, Hollum, Johnson, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (14).

Against: Schrader, Brezinski (2). Absent: Campione (1).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 280 sponsored by the Committee on Ways and Means relating to canceled taxes and rejected taxes was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Smith, seconded by Mr. Hollum, Report and Resolution No. 281 sponsored by the Committee on Ways & Means regarding designation of depositories of County funds for 2019 was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 282 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means accepting grant funding and authorizing e-signature in emergency services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Smith, seconded by Mr. Malta, Report and Resolution No. 283 sponsored by the Committee on Human Resources and the Committee on Ways & Means awarding contract for Meals on Wheels for the Old Forge area was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Keeler, seconded by Mr. Gaworecki, Report and Resolution No. 284 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means accepting grant and amending budget in connection with receipt of Stop-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 285 sponsored by the Committee on Information Services and the Committee on Ways & Means accepting grant, amending budget, and authorizing e-signature in connection with grant funding was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 286 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means amending budget in connection with funding in Sheriff's office was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Stephens, seconded by Mr. Hollum, Report and Resolution No. 287 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing agreement with school district for placement of officers at schools was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Keeler, seconded by Mr. Weakley, Report and Resolution No. 288 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means approving renewal of Court Security Contract was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Shaw, seconded by Mr. Malta, Report and Resolution No. 289 sponsored by the Committee on Human Resources and the Committee on Ways and Means accepting grant and authorizing contract in Department of Social Services for non-residential domestic violence program was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Hollum, seconded by Mr. Johnson, Report and Resolution No. 290 sponsored by the Committee on County Properties cancelling tax lien on premises in the Village of Ilion was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Smith, seconded by Mr. Keeler, Report and Resolution No. 291 sponsored by the Committee on Highways and the Committee on Ways and Means authorizing purchase of phone system and installation for the Highway Department and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 292 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means approving purchase for radio communications network for new Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 293 sponsored by the Committee on County Planning and Development designating the Town of Webb as Tourist Promotion Agency was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 294 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing application for matching funds under the New York State Tourist Promotion Act was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Gaworecki, seconded by Mr. Keeler, Report and Resolution No. 295 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with receipt of Ignition Interlock Monitoring Device Grant was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Russell, seconded by Mr. Smith, Resolution No. 296 sponsored by the Committee on Ways and Means setting date for Public Hearing for Local Law establishing

annual salaries of some Elected Officials and certain County Officers appointed for a fixed term during their term of office was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

On motion of Mr. Russell, seconded by Mr. Malta, Resolution No. 297 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means regarding payment of counsel in connection with eminent domain proceedings for new County Correctional Facility was handed up for discussion.

Legislator Russell requested a roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Keeler, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (12).

Against: Schrader, Johnson, Brezinski, Manno (4). Absent: Campione (1).

On motion of Mr. Gaworecki, seconded by Mr. Hollum, Resolution No. 298 sponsored by the Committee on Administration/Veterans' Affairs, the Committee on Education and the Committee on Ways and Means supporting a permanent funding floor for community college base state aid formula fiscal year 2020 was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Campione (1).

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators made a comment: Legislator Manno, Legislator Stephens, Legislator Russell, Legislator Bono, Legislator Peplinski.

Chairman Peplinski asked President of HCCC, Cathleen McColgin to give an overview on the Resolution to support a permanent funding floor for community college base state aid formula for fiscal year 2020.

At 7:37 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, November 13, 2019 at 7:00 p.m., with a Public Hearing on Introductory Local Law B at 6:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 273

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN PUBLIC HEALTH DEPARTMENT

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated September 23, 2019, submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and 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 sum from and to the following accounts in the 2019 Budget:

Transfer:

\$4,050	From: A4189H.44000-PH13-12, Healthy Families, Contracted Services
	To: A4189H.10000-001, Public Health, Salaries
\$4,900	From: A4189H.44000-PH13-13, Healthy Families, Contracted
	To: A4189H.10000-001, Healthy Families, Salaries

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: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 274

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN HERKIMER COUNTY SEWER DISTRICT

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated October 3, 2019, submitting a request for transfer 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 sum from and to the following accounts in the 2019 Budget:

Transfer:

\$2,300

From: G8130.41000-102, Sewer Chemical Supplies

To: G8110.46300, Sewer, Sewer Treatment Plant, Postage and Freight

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: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 275

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN HERKIMER COUNTY HIGHWAY DEPARTMENT

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated October 3, 2019, submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and 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 sum from and to the following accounts in the 2019 Budget:

Transfer:

\$200,000	From: D5110.10100, Maintenance Division, Temporary Employees
	To: DM5130.25000, Road Machinery, Other Equipment
\$20,000	From: D9901.95000, Interfund Transfers (unemployment)
	To: DM5130.25000, Road Machinery, Other Equipment Freight

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 276

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated October 3, 2019, submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and 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 sum from and to the following accounts in the 2019 Budget:

Transfer:

\$200,000

From: H3150.44000, New Jail, Contracted Services, Project 5-4

To: H3150.25000, New Jail, Other Equipment, Project 5-4

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 277

REPORT AND RESOLUTION CLOSING RESERVE ACCOUNTS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 3, 2019, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that there are a few inactive reserve accounts that need to be closed out; and

WHEREAS, the Budget Officer/Purchasing Agent has requested that the County Treasurer be authorized to make any necessary adjustments; now, therefore be it

RESOLVED, that the closures be made as follows:

A889F Highway Capital Projects Reserve	\$284.94
A889B DARE Reserve	\$0
A889Q Jail/Misc Project Reserve	\$2,000

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 278

REPORT AND RESOLUTION CLOSING RESERVE ACCOUNT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 3, 2019, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that the Herkimer College Roof Replacement project has been completed and the contracts have been closed out and the County will be taking back \$44,122.33 of unspent funds and interest from the original \$750,000 contribution; and

WHEREAS, the Budget Officer/Purchasing Agent has requested that the County Treasurer be authorized to close Reserve Account H878B, Project 113 and any corresponding cash accounts and transfer all remaining funds plus any accumulated interest to the A909 General Fund; now, therefore be it

RESOLVED, that the above described closures be made and the transfer of remaining funds plus interest be transferred to the General Fund; and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 279

REPORT AND RESOLUTION AUTHORIZING NOTE AND MORTGAGE WITH THE HERKIMER COUNTY IDA

**Sponsored by: Committee on County Planning & Development
Committee on Ways and Means**

WHEREAS, by letter dated July 23, 2019, John J. Piseck, Jr., Executive Director of the Herkimer County Industrial Development Agency (IDA) has requested County support in the amount of \$850,000 to finance the purchase of approximately 191.7 acres located in the Town of Schuyler, having Tax Map Numbers 105.3-1-3.2 and 105.3-1-9; and

WHEREAS, the mortgage would be a purchase money mortgage in the above amount, be payable on demand or upon sale or other conveyance of the premises, at no interest, with pro rata payments upon partial sale of parcels by the IDA; now, therefore, be it

RESOLVED, that the above described assistance is hereby approved, with financing in the amount of \$850,000 to be secured by note and mortgage to be executed at the time of closing and with additional terms of the said note and mortgage to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to execute any necessary documents; and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 280

REPORT AND RESOLUTION RELATING TO CANCELLED TAXES AND REJECTED TAXES

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the reports of the County Treasurer, with account attached thereto, showing the amounts of cancelled taxes and rejected taxes as of October 4, 2019 which should be charged back to the respective towns, municipalities and districts set forth on said account, does respectfully report that we have examined the same, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the following amounts be charged to the respective towns, municipalities and districts as set forth on said account and that the portion of said cancelled taxes and rejected taxes be included in the various towns' tax levies for the coming year as follows:

<u>TOWN</u>	<u>CANCELLED TAXES</u>	<u>REJECTED TAXES</u>	<u>TOTAL</u>	<u>TOWN PORTION FOR LEVY</u>
City of Little Falls	4,412.02		4,412.02	0.00
German Flatts	891.96		891.96	2.00
Herkimer	10,191.11		10,191.11	439.10
Little Falls	671.16		671.16	263.52
Ohio	532.79		532.79	70.17
Russia	642.61		642.61	98.18
West Winfield	1255.00		1,255.00	84.44
Totals	18,596.65		18,596.65	957.41

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 281

REPORT AND RESOLUTION AS REGARDS DESIGNATION OF DEPOSITORIES OF COUNTY FUNDS FOR 2019

Sponsored by: Committee on Ways and Means

RESOLVED, that the County Legislature of the County of Herkimer does hereby designate the following banks for the deposits of all monies received by the Herkimer County Treasurer, to wit:

M & T Bank	\$100,000,000.00
NBT	\$50,000,000.00
Key Bank	\$100,000,000.00
Adirondack Bank	\$100,000,000.00
JP Morgan Chase	\$500,000,000.00
Community Bank	\$50,000,000.00
TD Bank	\$500,000,000.00

and, be it further

RESOLVED, that the County Treasurer be, and she hereby is, authorized, empowered and directed to enter into an agreement with each of the said banks for and on behalf of and in the name of the County Legislature of the County of Herkimer, fixing rates of interest to be paid on the monies so deposited; and, be it further

RESOLVED, that before any monies be deposited in any bank, the County Treasurer accept from such bank either a depository bond in some good and solvent surety company or in lieu of such bond, bonds or certificates of the United States, of the State of New York, or any county, city and town of the State of New York, including bonds or certificates, and shall be deposited in a safe deposit box or safe deposit boxes by said County Treasurer in the name of the County of Herkimer or a properly executed certificate of escrow as authorized under the Laws of the State of New York, which certificate is approved by the County Attorney, or in accordance with the County's Investment Policy, and the County Treasurer is hereby authorized and directed to enter into a collateral agreement with said banks, which agreement is to be first approved by the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Attorney, County Clerk and the above named depositories.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 282

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING AND AUTHORIZING E-SIGNATURE IN EMERGENCY SERVICES

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated September 25, 2019, John Raymond, Director of Emergency Services has advised of a 2019-2020 PSAP Grant in the amount of \$191,946.00; and

WHEREAS, that letter further requests the Chairman be authorized to e-sign said grant; now, therefore be it

RESOLVED, that the above grant funding be accepted and the Chairman of the Legislature be authorized to e-sign the grant document; 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: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 283

REPORT AND RESOLUTION AWARDING CONTRACT FOR MEALS ON WHEELS FOR THE OLD FORGE AREA

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, this Legislature is informed by communication dated October 3, 2019 from Kathy Fox, Director of the Office for the Aging, 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 2020 with an option for a one year renewal contract with a cost of living increase, and with said contract to contain a 60 day termination of contract provision:

Area:	Number of meals:	Cost:
<i>Old Forge Area & Other Rural Areas:</i> Mom's Meals	Up to 25 meals/day	\$6.96 meal, up to \$43,326.00 annually

And, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract 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 Mom's meals.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 284

REPORT AND RESOLUTION ACCEPTING GRANT AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated October 3, 2019, from Michael L. Edwards, STOP-DWI Coordinator, he has requested that this Legislature accept funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$19,700 for the period of October 1, 2019 through September 30, 2020, as a pass through funding stream administered by the County; and

WHEREAS, by letter dated October 3, 2019 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2019 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2019 budget be amended as follows:

REVENUE

A3315A.4389G, Impaired Driving Det., SDWI Crackdown,	From: \$0
Project SD 02-7	To: \$19,700

EXPENSE

A3315A.44000, Impaired Driving Det., Contracted Services,	From: \$0
Project SD 02-7	To: \$19,700

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 285

REPORT AND RESOLUTION ACCEPTING GRANT, AMENDING BUDGET, AND AUTHORIZING E-SIGNATURE IN CONNECTION WITH GRANT FUNDING

**Sponsored by: Committee on Information Services
Committee on Ways and Means**

WHEREAS, by letter dated October 2, 2019, Kathy Wright, Director of Information Services, she has requested that this Legislature accept funding from the U.S. Department of Homeland Security's State Homeland Security in the amount of \$49,000 through 2021; and

WHEREAS, by letter dated October 3, 2019, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2019 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2019 budget be amended as follows:

REVENUE

A1680.4389H, Information Services, HSG

From: \$0

To: \$49,000

EXPENSE

A1680.40700, Information Services, Computer Software

From: \$0

To: \$49,000

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 286

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH FUNDING IN SHERIFF'S OFFICE

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated September 30, 2019 from Christopher Farber, Herkimer County Sheriff, this Legislature is advised of a request for the Chairman of the Legislature to e-sign an agreement regarding the receipt of funding in the amount of \$15,779.00 from the U.S. Department of Justice for a State Criminal Alien Assistance Program (SCAAP) ; and

WHEREAS, by letter dated October 3, 2019 from Sheri Ferdula, Budget Officer, this Legislature is advised that in anticipation of the SCAAP award \$10,000 was budgeted for 2019; however, it is necessary to amend the 2019 Budget in connection with the additional \$5,779.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign an agreement to receive a grant award in the amount of \$15,779.00 for a State Criminal Alien Assistance Program (SCAAP), with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the 2019 Herkimer County Budget is hereby amended as follows:

REVENUE:

A3150.4388, Jail, Alien Assistance	From:	\$12,623
	To:	\$18,402

EXPENSE:

A3150.44000, Jail, Contracted Services	From:	\$42,000
	To:	\$47,779

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 287

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH SCHOOL DISTRICT FOR PLACEMENT OF OFFICERS AT SCHOOLS

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated October 3, 2019, Christopher P. Farber, Herkimer County Sheriff has advised that Central Valley Academy in Herkimer County has requested permission for the placement of officers at the school, with the School District to provide reimbursement for all salary and fringe benefits plus any additional costs including expenses; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into agreement with Central Valley Academy, for the placement of a Special Patrol Officer at the Ilion schools, with the School District to provide reimbursement for all salary and fringe benefits, plus an additional administrative fee of 15% of the salary and fringe benefits, with the terms and conditions of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 288

REPORT AND RESOLUTION APPROVING RENEWAL OF COURT SECURITY CONTRACT

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by Resolution No. 373 adopted on December 12, 2018 this Legislature authorized a one year contract for the period April 1, 2018 to March 31, 2019 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 October 1, 2019, that the Office of Court Administration has proposed to renew said contract covering the period from April 1, 2019 through March 31, 2020, with the maximum reimbursement not to exceed \$35,375; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a Court Security Contract with the Office of Court Administration for the period from April 1, 2019 through March 31, 2020, with the maximum reimbursement not to exceed \$35,375; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions; 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: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 289

REPORT AND RESOLUTION ACCEPTING GRANT AND AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES FOR NON-RESIDENTIAL DOMESTIC VIOLENCE PROGRAM

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated October 3, 2019 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of the award of 2019-2020 funding in the amount of \$25,000 from the New York State Office of Children and Family Services to expand/enhance core services provided by approved Non-Residential Domestic Violence Services, and further requests a contract be entered into with Catholic Charities of Herkimer County to provide these services; now, therefore, be it

RESOLVED, that this Legislature accepts 2019-2020 funding from the New York State Office of Children and Family Services and authorizes an agreement between Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of Non-Residential Domestic Violence Services, for the period beginning October 1, 2019 to June 30, 2020, in the amount of \$25,000; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, with said contract subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said program shall continue so long as 100% reimbursement is available from the State of New York; 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 and Catholic Charities of Herkimer County.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 290

REPORT AND RESOLUTION CANCELLING TAX LIEN ON PREMISES IN THE VILLAGE OF ILION

Sponsored by: Committee on County Properties

WHEREAS, by letter dated June 24, 2019, Mark R. Rose, Village Attorney for the Village of Ilion, has advised that the Village is interested in obtaining title to property located at 161 Otsego Street in the Village, having Tax Map No. 119.52-4-19, which structure had been condemned due to damage by fire; and

WHEREAS, the County of Herkimer had previously withdrawn those premises from the In Rem tax Proceedings; and

WHEREAS, the Village is in the process of obtaining title to the parcel from the current owner and upon doing so intends to remove and properly dispose of any and all debris resulting from the demolition of the structure and to return the property to a safe and salable condition, involving the estimated expenditure of approximately \$19,000, after which the Village will offer the property for sale at a fair market value and return the property to the tax rolls and to thereafter pay to the County the net proceeds of any sale of the premises over and above its expenditures from its general fund, as shown on a full accounting of the disposition of the proceeds of sale, also to be supplied to the County; and

WHEREAS, currently there are outstanding real property taxes for the year 2019 of approximately \$4,400; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with the Village of Ilion containing the above terms and conditions; and, be it further

RESOLVED, that upon transfer of the premises to the Village of Ilion, as above described, all delinquent tax liens shall be cancelled and the enforcing officer is hereby authorized to issue a certificate of cancellation of taxes at that time; 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 Village of Ilion Attorney Mark R. Rose.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 291

REPORT AND RESOLUTION AUTHORIZING PURCHASE OF PHONE SYSTEM AND INSTALLATION FOR THE HIGHWAY DEPARTMENT AND TRANSFERRING FUNDS

**Sponsored by: Committee on Highways
Committee on Ways and Means**

WHEREAS, by letter dated October 3, 2019, from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to purchase a server and phones for a new phone system as well as installation for a total cost of \$20,975.96; and

WHEREAS, the letter further requests a transfer be made to cover the expense; now, therefore, be it

RESOLVED, that the purchase of a server and phones as well as installation, at a cost of \$20,975.96 is hereby approved, and that the treasurer is authorized to make the following transfer to complete the purchase:

\$20,976 From: DM5130.10000-001, Road Machinery, Salaries
 To: A1685.44000, Telephone, Contracted Services

and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 292

REPORT AND RESOLUTION APPROVING PURCHASE FOR RADIO COMMUNICATIONS NETWORK FOR NEW CORRECTIONAL FACILITY

**Sponsored by: Committee on Public Safety & Emergency Management
Committee on Ways & Means**

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has advised by letter dated October 3, 2019 that quotes were received for the purchase and installation of a radio communications network for the new Correctional Facility for a total cost of \$141,833.00 from JPJ Electronic Communications, Inc., 1 W. Whitesboro St., Yorkville, NY 13495; and

WHEREAS, the Budget Officer further advises that the cost breakdown will be \$44,744.18 for Radio Equipment, \$15,947.52 for antennas, wires, mounting and installation, and \$81,141.30 for Zetron Max Communications System, for a total of \$141,833.00; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes the purchase and installation of a radio communications network for the new Correctional Facility at a total cost of \$141,833.00 from JPJ Electronic Communications, Inc.; and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 293

REPORT AND RESOLUTION DESIGNATING THE TOWN OF WEBB AS TOURIST PROMOTION AGENCY

Sponsored by: Committee on County Planning and Development

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 received October 10, 2019, the Town of Webb Tourism/Publicity Director has contacted your Committee 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 2020; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County 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 2020 matching funds; and, be it further

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

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 294

REPORT AND RESOLUTION AUTHORIZING APPLICATION FOR MATCHING FUNDS UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

**Sponsored by: Committee on County Planning and Development
Committee on Ways & Means**

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 10, 2019 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 2020; 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 an application for and to receive matching funds under the New York State Tourist Promotion Act for the calendar year 2020;

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 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 295

REPORT AND RESOLUTION IN CONNECTION WITH RECEIPT OF IGNITION INTERLOCK MONITORING DEVICE GRANT

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by Resolution No. 317 adopted on December 14, 2011, and pursuant to the provisions of Leandra's Law, an Ignition Interlock Monitoring Program was established in Herkimer County through a grant received from the New York State Division of Criminal Justice Services, with said grant being renewed by resolution each year thereafter; and

WHEREAS, by letter dated October 7, 2019, from Garry Murphy, Director of Probation, this Legislature is advised of the request for acceptance of a grant from the State Division of Criminal Justice Services, for the period from October 1, 2019 through September 30, 2020, in the total amount of \$3,934.01; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by e-signature a contract with the New York State Division of Criminal Justices to receive an Ignition Interlock Device Monitoring Project Grant for the period from October 1, 2019 through September 30, 2020, in the total amount of \$3,934.01, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Probation and the State Division of Criminal Justice Services.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 296

REPORT AND RESOLUTION SETTING DATE FOR PUBLIC HEARING FOR LOCAL LAW ESTABLISHING ANNUAL SALARIES OF SOME ELECTED OFFICIALS AND CERTAIN COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE

Sponsored by: Committee on Ways and Means

We, the Committee on Ways and Means of the Herkimer County Legislature, are causing to be prepared and will present Introductory Local Law B for the year 2019 to establish annual salaries of some elected officials and certain county officers appointed for a fixed term during their term of office, and setting the date for the statutory public hearing thereon, and offer the following Resolution:

RESOLVED:

1. That a proposed local law establishing salaries of some elected officials and certain county officers will be prepared by this Committee, and that a public hearing will be held on the proposed local law at a meeting of the Herkimer County Legislature, on the 13th day of November, 2019, at 6:00 p.m. in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York;
2. That this County Legislature designates the Committee on Ways and Means as the Committee to hold the public hearing on the adoption of said act;
3. That at least five days prior to such public hearing the Clerk of this Legislature shall post a notice of such hearing upon the bulletin board in the Courthouse and cause to be published said notice at least once in the *Times Telegram*;
4. That the Clerk of this Legislature shall place a copy of said act on the desks of the members of this County Legislature at least seven calendar days, exclusive of Sunday, prior to its final adoption;
5. That if said local law be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one in the Office of the Secretary of State and publish said local law as required by law.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 297

RESOLUTION REGARDING PAYMENT OF COUNSEL IN CONNECTION WITH EMINENT DOMAIN PROCEEDINGS FOR NEW COUNTY CORRECTIONAL FACILITY

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways & Means**

WHEREAS, by Resolution No. 287 adopted by this Legislature on November 15, 2017, payment to the West Firm, 677 Broadway, 8th Floor, Albany, NY 12207 was authorized in the maximum amount of \$31,315 for acquisition and valuation court proceedings; and

WHEREAS, that Resolution also authorized the maximum amount of \$15,300 for any contest of Findings and Determinations if necessary, which was not necessary and was not expended; now, therefore be it

RESOLVED, that the \$15,300 amount which had been designated for contest of Findings and Determinations shall be made available for acquisition and valuation court proceedings, plus an additional \$14,700 to cover legal services in connection with those proceedings; and, be it further

RESOLVED, that certified copies of this Resolution be sent to the County Treasurer, Auditor, Budget Officer, County Attorney, and the West Firm.

Dated: October 23, 2019.



HERKIMER COUNTY LEGISLATURE

No. 298

RESOLUTION SUPPORTING A PERMANENT FUNDING FLOOR FOR COMMUNITY COLLEGE BASE STATE AID FORMULA FISCAL YEAR 2020

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Education
Committee on Ways and Means**

WHEREAS, community colleges serve as economic engines that provide a trained workforce and educated citizenry for the State of New York and the local communities in which they are located, are anchor institutions that help keep their communities strong and vibrant by serving as major employers, community hubs, and social centers, are the primary catalyst to the middle class by serving more low-income students than any other sector of higher education, anticipate and respond to the emerging needs of their local communities and remain the most adaptable sector of higher education, and serve nearly half all undergraduates enrolled in the SUNY System, along with nearly as many life-long learners through non-credit classes; and

WHEREAS, a level of predictability in State funding is essential to provide community colleges the ability to plan and budget accordingly and recognizes each college's annual fixed costs; and

WHEREAS, the 98% of the previous year or \$100 increase per FTE, whichever is greater, language added to the community college funding model for fiscal year 2019 was a step in the right direction and appreciated; and

WHEREAS, the funding floor should be set in State statute at 100% of the previous year or \$100 increase per FTE, whichever is greater; now, therefore be it

RESOLVED, that the Herkimer County Legislature fully supports the proposal that New York State change the base state aid formula allocation for each community college to be permanently set at 100% of the previous year or \$100 increase per FTE, whichever is greater; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, and President and Senior Vice President for Administration and Finance at Herkimer County Community College.

Dated: October 23, 2019.

