

MINUTES
Herkimer County Legislature
Fourth Quarter – Fourth Day
Wednesday, December 15, 2010
7:30 p.m.

The Public Hearing on Introductory Local Law No. 4 for 2010 was called to order by Patrick E. Russell, 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 was one appearance and the hearing was declared closed at 7:09 p.m.

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

Chairman Smith called on Ervin J. Fuller, Commissioner of Social Services, 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Absent: None.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Smith asked if there were any objections or corrections to the minutes of October 27, 2010. There were no objections and the minutes were approved.

Chairman Smith dispensed with the regular session to present a proclamation to the Honorable Henry A. LaRaia, Herkimer County Family Court Judge, upon his retirement and in recognition for his many years of public service to Herkimer County.

Pursuant to Rule 11, Chairman Smith opened the floor for public comment. There were no individuals 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. There were no requests.

No. 427 – A communication was received from the Sheriff requesting a cooperative agreement with Big Moose Fire Department. Referred to the Committee on Public Safety and Emergency Management.

No. 428 - 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. 429 – A communication was received from the Director of Community Services submitting the November activities update. Ordered filed.

No. 430 – A communication was received from the State Office for the Aging commending Herkimer County Office for the Aging on the results of their annual evaluation. Ordered filed.

No. 431 – A communication was received from the Director of Real Property Tax Services requesting renewal contracts for data collection and assessment services. Referred to the Committee on Ways and Means.

No. 432 – A communication was received from Oneida-Herkimer Solid Waste Authority submitting authority meeting minutes and adopted resolutions. Ordered filed.

No. 433 – A communication was received from the State Commission of Correction advising of extension of variance. Referred to the Committee on Public Safety and Emergency Management.

No. 434 – A communication was received from Capital District OTB submitting financial reports for August and September. Ordered filed.

No. 435 – A communication was received from the Sheriff submitting monthly report for October. Referred to the Committee on Public Safety and Emergency Management.

No. 436 – A communication was received from the Commissioners of Election requesting extension of contract for voter registration software. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 437 – A communication was received from the Director of the Office for the Aging requesting permission to apply for additional MIPPA funding. Referred to the Committee on Ways and Means.

No. 438 – A communication was received from the Director of Real Property Tax Services submitting request for levy for Consolidated Health Taxes. Referred to the Committee on Ways and Means.

No. 439 – A communication was received from the Chief Plant Operator at the Sewer district submitting Sewer Board resolution for approval by the Legislature. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 440 – A communication was received from the Budget Officer submitting request for budget amendment – Youth Violence Prevention Budget. Referred to the Committee on Ways and Means.

No. 441 – A communication was received from the Budget Officer submitting request for contract in connection with modification of curtainwall at County Office and Courts Facility. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 442 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 443 – A communication was received from the Budget Officer submitting request for budget amendment in Self-Insurance Fund. Referred to the Committee on Ways and Means.

No. 444 – A communication was received from the Budget Officer submitting request for budget amendment for Highway Budget. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 445 – A communication was received from the Budget Officer submitting recommendation for award of bid for Highway equipment. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 446 – 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. 447 – A communication was received from the Director of Real Property Tax Services submitting Forms and Footings. Referred to the Committee on Ways and Means.

No. 448 – A communication was received from the Budget Officer submitting request for budget amendment for grant. Referred to the Committee on County Planning and Development.

No. 449 – A communication was received from the Executive Director of the IDA requesting acceptance of Community Development Block Grant for Remington Arms Company, Inc.

No. 450 – A communication was received from the County Administrator requesting approval of the part-time Salary Schedule for 2011. Referred to the Committee on Ways and Means.

No. 451 – 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. 452 – A communication was received from the Budget Officer submitting insurance coverages beginning 12/9/10. Referred to the Committee on Ways and Means.

No. 453 – A communication was received from the Director of Emergency Services submitting request for maintenance agreement. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 454 – A communication was received from the Director of Emergency Services submitting request for agreements in connection with tower site. Referred to the Committee on Public Safety/Emergency Management.

No. 455 – A communication was received from the Director of Real Property Tax Services submitting the District Tax Rates. Ordered printed and filed.

No. 456 – A communication was received from the Director of Real Property Tax Services submitting tax warrants and tax levy. Referred to the Committee on Ways and Means.

No. 457 – A communication was received from the Budget Officer submitting request for appropriation of conduct of county government for 2011. Referred to the Committee on Ways and Means.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 321 of the Committee on Ways and Means adopting Introductory Local Law No. 4 for 2010 was handed up; debate was held; was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Hendrix, Smith, Bono, Ackerman, Peplinski, Russell, Weakley (11).

Against: Rose, Hyde, Brezinski, Korce, Shaw (5)

Abstain: Manno (1).

Absent: None.

No. 321

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING INTRODUCTORY LOCAL LAW NO. 4 for 2010

Your Committee on Ways and Means of the Herkimer County Legislature desires to report that on the 15th day of December, 2010, pursuant to Resolution No. 317, it held a public hearing on the adoption of Introductory Local Law No. 4 for 2010 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 was one appearance and one objection 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.4 for 2010 be adopted in form attached hereto.

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

INTRODUCTORY LOCAL LAW NO. 4 – 2010

LOCAL LAW NO. - 2011

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 annual salary of the County Sheriff shall be the sum of Fifty Nine Thousand, Five Hundred Forty-Nine Dollars (\$59,549).

Section 2. The annual salary of the County Treasurer shall be the sum of Fifty One Thousand, Three Hundred Thirty-Two Dollars (\$51,332).

Section 3. The annual salary of the County Clerk shall be the sum of Fifty-Four Thousand, Two Hundred Fifty-Five Dollars (\$54,255).

Section 4. The base annual salary of the Commissioner of Social Services shall be the sum of Seventy Eight Thousand, One Hundred Ninety Dollars (\$78,190).

Section 5. The base annual salary of the County Highway Superintendent shall be the sum of Eighty Five Thousand, Four Hundred Ninety-Nine Dollars (\$85,499).

Section 6. The base annual salary of the County Administrator shall be the sum of Eighty Five Thousand, Six Hundred Ninety-Six Dollars (\$85,696).

Section 7. The base annual salary of the County Attorney shall be the sum of Sixty Seven Thousand, Seven Hundred and Eight Dollars (\$67,708).

Section 8. The base annual salary of the Budget Officer shall be the sum of Fifty Six Thousand and Six Dollars (\$56,006).

Section 9. The base annual salary of the County Auditor shall be the sum of Fifty Thousand, Three Hundred Ninety Five Dollars (\$50,395).

Section 10. The base annual salary of the Real Property Tax Director shall be the sum of Forty Six Thousand, Seven Hundred Twenty-Three Dollars (\$46,723).

Section 11. The base annual salary for the Commissioners of Elections shall be the sum of Thirty Nine Thousand, Eight Hundred Ten Dollars (\$39,810).

Section 12. The base annual salary of the Personnel Officer/Safety Coordinator shall be the sum of Fifty Eight Thousand, One Hundred Fifty Seven Dollars (\$58,157).

Section 13. The salary of the County Coroners shall be One Hundred Fourteen Dollars (\$114.00) per call.

Section 14. This Local Law shall take effect forty-five days after its adoption and shall be subject to a permissive referendum.

Dated: December 15, 2010.

On motion of Mr. Russell, seconded by Mr. Peplinski and Mr. Korce, Report and Resolution No. 322 of the Committee on Ways and Means adopting 2011 Budget was handed up; Mrs. Rose offered an amendment, seconded by Mr. Brezinski, to reduce the salaries of positions in Salary Schedules I and II by 2%. The amendment was defeated roll call vote:

For: Rose, Hyde, Brezinski, Korce, Shaw (5).

Against: Piseck, Keblish, Maneen, Stone, Manno, Smith, Bono, Ackerman, Peplinski, Russell, Weakley (12).

Absent: None.

Mrs. Rose offered another amendment, seconded by Mr. Brezinski, to reduce the salaries of the part-time positions in Salary Schedules I and II by 2%. The amendment was defeated by roll call vote:

For: Rose, Hyde, Brezinski (3).

Against: Piseck, Keblish, Maneen, Stone, Hendrix, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (14).

Absent: None.

After further debate, Report and Resolution No. 322 was adopted by roll call vote:

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

Against: Rose, Brezinski (2).

No. 322

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING 2011 BUDGET

WHEREAS, the tentative budget for the year 2011 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 2011.

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. Bono, seconded by Mr. Peplinski, Resolution No. 322A of the Committee on Ways and Means making appropriation for conduct of county government for the fiscal year 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 322A

**RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS MAKING
APPROPRIATION FOR THE CONDUCT OF COUNTY GOVERNMENT
FOR THE FISCAL YEAR 2011**

WHEREAS, the County Legislature of the County of Herkimer, by Resolution dated December 15, 2010, has adopted the Budget for fiscal year 2011; 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, 2011

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. Hyde, seconded by Mr. Stone and Mr. Keblish, the following Consent Agenda was handed up; voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

Consent Agenda:

- 323 PUB. SFTY./EMER. MGMT.: Approving Monthly Report of Sheriff
- 324 WAYS & MEANS: Contract with Town of Herkimer for Data collection services
- 325 WAYS & MEANS: Extension of contracts with Towns of Columbia and Litchfield For assessment services
- 326 CO. PLANNING & DEV., WAYS & MEANS: Amending budget in connection with Funding for Youth Violence Prevention Program
- 327 PUB. SFTY./EMER. MGMT.: Authorize cooperative agreement with Big Moose Fire Dept.
- 328 HUMAN RES., WAYS & MEANS: Authorizing application for additional MIPPA Funding for Office for Aging
- 329 HIGHWAYS, WAYS & MEANS: Awarding bid for equipment for Highway Dept.
- 330 HIGHWAYS, WAYS & MEANS: Amending Budget in connection with Resolution No. 106 of 2008 approving project under Article 6, Section 116 of Highway Law

No. 323

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, 2010 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, 2010, which report reflects an average daily population of 60.55 inmates, with an average of 31.13 inmates being boarded out in October, be approved and filed.

Dated: December 15, 2010.

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

No. 324

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH THE TOWN OF HERKIMER FOR THE COUNTY TO PROVIDE DATA COLLECTION SERVICES.

WHEREAS, by letter dated November 15, 2010, Mary Ann Barbuto, Director of the Real Property Tax Service Agency, has recommended to your Committee that a contract be entered into between the County of Herkimer and the Town of Herkimer be renewed, whereby the County would provide data collection to the Town of Herkimer for the certain sums as set forth below; and

WHEREAS, it is the opinion of your Committee that it is to the mutual benefit of the County of Herkimer and the Town of Herkimer for the County of Herkimer to provide said data collection services to the Town; now, therefore, be it

RESOLVED as follows:

1. The County of Herkimer is authorized to provide data collection services to the Town of Herkimer on the number of parcels to be designated by the Town for the sum of \$10.00 for parcel for Agricultural, Residential, Vacant and Public Services parcels; a cost of \$32.00 per parcel Commercial, Recreation, Community Service, Industrial and Forest & Public parks parcels. Trailer parks shall be charged as one parcel if the park owner provides the inventory of trailers in the park. In the event that the Data Collector must collect such information, the charge shall be \$3.00 per site. The County shall be further entitled to mileage each year.

2. The Chairman of this Legislature is authorized to enter into an agreement with the Town of Herkimer for a period of one year through November 20, 2011, with the final form of said contract to be subject to the approval of the County Attorney;

3. Certified copies of this Resolution shall be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Real Property Tax Services and the Town of Herkimer.

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

No. 325

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING EXTENSION OF CONTRACTS WITH THE TOWNS OF COLUMBIA AND LITCHFIELD TO PROVIDE ASSESSMENT SERVICES

WHEREAS, this Legislature has authorized by resolution, contracts with certain towns of the County, whereby the County would provide assessment services to the town for the sum of \$15.00 for each parcel on the final assessment roll of the town; and

WHEREAS, by letter dated November 15, 2010, Mary Ann Barbuto, Director of the Real Property Tax Service Agency, has requested approval of renewal of the contracts to provide assessment services to the Towns of Columbia and Litchfield; and

WHEREAS, it is the opinion of your Committee that it is to the mutual benefit of the County of Herkimer and the aforesaid towns for the County of Herkimer to continue to provide said assessment services to said towns; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into extensions of the agreements to provide assessment services to the Towns of Columbia and Litchfield for the period from December 31, 2010 to December 31, 2011, with the final form of said agreements to be subject to the approval of the 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 Real Property Tax Services and the Towns of Columbia and Litchfield.

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

No. 326

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AMENDING BUDGET IN CONNECTION WITH FUNDING FOR YOUTH VIOLENCE PREVENTION PROGRAM

WHEREAS, by letter dated December , 2010 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2010 Budget in connection with funding received from the NYS Office of Children and Family Services for the Youth Violence Prevention Program; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Budget is hereby amended as follows:

<u>Revenue</u>	<u>From</u>	<u>To</u>
A7310B.3820C-Youth Violence	\$-0-	
\$3,204.36		

Prevention, State Aid

Appropriation

A7310B.44000, Youth Violence \$-0-
\$3,204.36

Contracted Services

And, be it further

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

Dated: December 15, 2010.

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

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

No. 327

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC
SAFETY/EMERGENCY MANAGEMENT AUTHORIZING
COOPERATIVE AGREEMENT WITH BIG MOOSE FIRE DEPARTMENT**

WHEREAS, by letter dated November 8, 2010 from Christopher P. Farber, Sheriff,

This Legislature is advised that a Cooperative Agreement is requested with the Big Moose Fire Department for the shared use of a 1996 Chevrolet Suburban which is the property of the Herkimer County Sheriff's Department, and requests authorization for the Chairman of the Legislature to execute the Cooperative Agreement; and

WHEREAS, this vehicle will be used to transport fire department personnel, law enforcement and other first responders to the Beaver River and Stillwater areas that are otherwise accessible only by water; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute a Cooperative Agreement with the Big Moose Fire

Department for the shared use of 1996 Chevrolet Suburban which is the property of the Herkimer County Sheriff's Department; and, be it further

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

Dated: December 15, 2010.

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

No. 328

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN
RESOURCES AND THE COMMITTEE ON WAYS & MEANS
AUTHORIZING APPLICATION FOR ADDITIONAL MIPPA FUNDING
FOR OFFICE FOR THE AGING AND AUTHORIZING CONTRACT WITH
CATHOLIC CHARITIES**

WHEREAS, by letter dated December 3, 2010, from Mary A. Scanlon, Director of the Office for the Aging, this Legislature is advised of a request to submit an additional application to receive MIPPA (Medicare Improvements for Patients & Providers Act) funding; the purpose of this funding is to provide health insurance information, counseling and assistance to older individuals and their families, as defined in the MIPPA; MIPPA is specifically designed to outreach and provide direct application assistance to Medicare beneficiaries who are likely to be eligible for the Medicare Part D Low-Income Subsidy (LIS) or Medicare Savings Program (MSP); some funds may be allocated to the Office for the Aging; covered is the period of September 30, 2010 through September 29, 2011 with an estimated award to be \$13,580.00; and

WHEREAS, this program shall be administered by the Office for the Aging on a subcontract basis; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit an application and act in connection with the application to provide such information as may be required to request and implement funding for the program as follows:

· MIPPA (Medicare Improvements for Patients & Providers Act) for the 9/30/2010 – 9/29/2011 program year; funding is currently anticipated at \$13,580.00;

Program shall be subcontracted to Catholic Charities of Herkimer County with said contract amount not to be more than the level of funding that is made available to the county of Herkimer;

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary documents in connection with the receipt and implementation of said funding 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 Catholic Charities.

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
Resources

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

No. 329

REPORT AND RESOLUTION OF THE COMMITTEE ON HIGHWAYS
AWARDING BID FOR EQUIPMENT FOR HERKIMER COUNTY HIGHWAY
DEPARTMENT

WHEREAS, by Resolution No. 272 of 2010 this Legislature authorized the rejection and rebidding of equipment for the highway department due to non-compliance of specifications; and

WHEREAS, by letter dated December 10, 2010, the Budget officer/Purchasing Agent has advised that bids were received, opened and read in accordance with law for the provision of a Two Ton compact Roller for the Herkimer County Highway Department; and

WHEREAS, after review of the bid it is the recommendation of the County Highway Superintendent and your committees that the low bid received from Abele Tractor & Equipment company, 72 Everett Road, Albany, NY 12205, be awarded in the amount of \$14,963.39; now, therefore, be it

RESOLVED, that the bid of Abele Tractor & Equipment Company, 72 Everett Road, Albany, NY 12205, in the amount of \$14,963.39 for a two ton Compact Roller for the Herkimer County Highway Department be awarded by this Legislature; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Superintendent of Highways and Abele Tractor & Equipment Company.

Dated: December 15, 2010.

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

No. 330

**REPORT AND RESOLUTION OF THE COMMITTEE ON HIGHWAYS
AND THE COMMITTEE ON WAYS AND MEANS AMENDING BUDGET
IN CONNECTION WITH RESOLUTION NO. 106 OF 2008 APPROVING
PROJECT UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW**

WHEREAS, by Resolution No. 106 for 2008 this Legislature authorized a capital construction project to be done with county road fund monies during the year 2008, in the amount of \$300,000.00 covering Project No. 303, for culvert installation on Robinson Road, County Road No. 46, located in the Town of Columbia; and

WHEREAS, by letter dated December 9, 2010, from Bernard E. Decker, Budget Officer, this Legislature is advised of a request to amend the budget in connection with the receipt of additional State and Federal Revenue for said project; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Budget is hereby amended as follows:

Revenue:

H3960 State Aid (SEMO)	From: \$42,500.00
	To: \$89,602.48
H4960 Federal Aid (FEMA)	From: \$240,000.00
	To: \$275,944.05
H5031 Interfund (CHIPS)	From: \$37,500.00
	To: \$2,280.32

Appropriation

H5197.40000 Project #303, Robinson Rd. Cont. Exp.	From: \$320,000.00
	To: \$309,834.00
H9901.90000 Interfund Transfer, Interfund Transfer	From: \$0
	To: \$57,992.85

And, be it further

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

Dated: December 15, 2010.

DENNIS KORCE

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

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 and Mr. Stone, Report and Resolution No. 331 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing maintenance agreement for 911 computer aided dispatch software was handed up; there being no debate, voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 331

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING MAINTENANCE AGREEMENT FOR 911 COMPUTER AIDED DISPATCH SOFTWARE

WHEREAS, by letter dated December 3, 2010, Robert A. Vandawalker, Director of Emergency Services, has advised your Committees of a request to enter into an annual service maintenance agreement with InterAct Public Safety Systems of North Carolina for the 911 Computer Aided Dispatch software, the 911 CTI Phone Software and Geo mapping software at an annual cost of \$20,930.00; and

WHEREAS, said agreement covers failures and maintenance of the software and hardware related to the 911 phone system pursuant to Resolution No. 86 of 1999 and Resolution No. 135 of 2001; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a maintenance agreement with InterAct Public Safety Systems, 102 W. 3rd Street, Suite 750, Winston Salem, NC 27101, for the 911 Computer Aided Dispatch Software, and the 911 Phone Software and Geo Mapping Software at an annual cost of \$20,930.00, upon such terms and conditions as approved by 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 Emergency Services and InterAct Public Safety Systems.

Dated: December 15, 2010.

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. Peplinski, seconded by Mr. Russell, Report and Resolution No. 332 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 332

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

WHEREAS, by communication dated December 6, 2010 from the Director of Real Property Tax Services, your Committee on Finance 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 2011; 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 Dollars for the Consolidated Health District of the Town of Winfield for the year 2011; 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 2011; 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	\$ 200.00
Town of German Flatts	\$ 2,000.00

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 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. Manno, seconded by Mr. Keblish and Mr. Ackerman, Report and Resolution No. 333 of the Committees on Education and Ways and Means approving sponsorship agreement with Pepsi Beverage Company was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 333

**REPORT AND RESOLUTION OF THE COMMITTEES ON
EDUCATION AND WAYS AND MEANS APPROVING SPONSORSHIP
AGREEMENT WITH PEPSI BEVERAGE COMPANY**

WHEREAS, by letter dated November 29, 2010 from Nicholas F. Laino, Vice President for Administration and Finance, this Legislature is advised that the Board of Trustees by their Resolution No. 10-05 has approved a Sponsorship Agreement with Pepsi Beverages Company to develop and carry out a program for the exclusive sale of its beverage products in all of the facilities operated by the

College and that Pepsi will designate their annual support funds in the amount of \$15,000 to the College's Capital Project Reserve, plus commissions of 25% and annual product donations of a value of up to 50 cases per year; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves Herkimer County Community College Board of Trustees Resolution No. 10-05 approving a Sponsorship Agreement with Pepsi Beverages Company to develop and carry out a program for the exclusive sale of its beverage products in all of the facilities operated by the College and that Pepsi will designate their annual support funds in the amount of \$15,000 to the College's Capital Project Reserve, plus commissions of 25% and annual product donations of a value of up to 50 cases per year; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, President and Vice President for Administration and Finance at Herkimer County Community College.

Dated: December 15, 2010.

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

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO

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

On motion of Mr. Peplinski, seconded by Mr. Shaw and Mr. Hyde, Report and Resolution No. 334 of the Committee on Natural Resources and the Committee and Ways and Means approving emergency purchase of equipment for Sewer District was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

**REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL
RESOURCES AND THE COMMITTEE ON WAYS AND MEANS
APPROVING EMERGENCY PURCHASE OF EQUIPMENT FOR SEWER
DISTRICT**

WHEREAS, by letter dated December 2, 2010, Keneck Skibinski, Chief Plant Operator at the Herkimer County Sewer District, has advised that by action on November 17, 2010, the Herkimer County Sewer District Board adopted a resolution approving an emergency purchase for immediate replacement of a faulty conveyor for the Wastewater Treatment Plant

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

RESOLVED, that this Legislature hereby approves a resolution duly adopted by the Herkimer County Sewer District Board on November 17, 2010 approving emergency purchase of a replacement screw conveyor for the Wastewater Treatment Plant from JDV Equipment Corporation, One Princeton Avenue, NJ 07801, in the amount of \$42,220.00; and, be it further

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

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

Dated: December 15, 2010.

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. Russell, seconded by Mr. Bono, Report and Resolution No. 335 of the Committee on Ways and Means transferring funds was handed up; there being no debate, was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 335

**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 10, 2010 submitting requests for transfers of funds, reports that we have examined said communication, inquired into the subject matter thereof recommend that said transfers be made and offer the following Resolution:

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

\$1,160	From: A1680.10000-001 Info Services, Salaries
	To: A1040.10000-001 Clerk of Legis. Salaries
\$2,400	From: A1010.44000 Leg.-Cont. Services
	To: A1010.10000-003 Legislature, In-Lieu
\$1,070	From: A4010.10000-001 Public Health Nurses, Salaries
	To: A1430.10000-001 Personnel, Salaries
\$20,800	From: A3170.44000 Corr. Inst., Cont. Services
	To: A3021.10000-001 Pub. Safety Communications, Salaries
\$19,000	From: A3170.44000 Corr. Inst., Cont. Services
	To: A3110.10000-001 Sheriff, Salaries
\$50	From: A2960.46100 Ed. of Handicapped Children, Mileage & Travel
	To: A2960.10000-003 Ed. of Handicapped Children, In-Lieu
\$46,664	From: A3170.44000 Corr. Inst., Cont. Services
	To: A6772.23000 Aging-III B, Motor Vehicles
\$27,000	From: A4010.10000-001 Public Health Nurses, Salaries
	To: A2490.44000 Comm. College Tuition, Cont. Services
\$15,200	From: A1680.1000-001 Info. Services, Salaries
	To: A1185.10000-001 Med. Ex. & Coroners, Salaries
\$1,400	From: A1010.46100-745 Leg, Cont. Services
	To: A1010.10000-003 Legislature, In-Lieu
\$60,000	From: A6109.40000 Family Assistance, Cont. Exp.
	To: A6140.40000 Safety Net, Cont., Exp.
\$6,000	From: A6010.10000-001 Social Services Admin., Salaries
	To: A6011.44000 Food Stamps, Cont. Exp.
\$6,000	From: A6123.40000 Juvenile Delinquent, Cont. Exp.
	To: A6011.44000 Food Stamps, Cont. Exp.
\$7,500	From: A6129.40000 State Training Schools, Cont. Exp.
	To: A6142.40000 Emergency Aid for Adults, Cont. Exp.

and be it further,

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Auditor, Treasurer, Budget Officer, Director of Public Health, Commissioner of Social Services, Director of Information Services, President of HCCC, Sheriff and County Clerk

Dated: December 15, 2010

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. Piseck, seconded by Mr. Shaw, Mr. Hendrix, and Mr. Stone, Report and Resolution No. 336 of the Committee on Ways and Means accepting Community Development Block Grant on behalf of Remington Arms company, Inc. and amending budget was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 336

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS ACCEPTING COMMUNITY DEVELOPMENT BLOCK GRANT ON BEHALF OF REMINGTON ARMS COMPANY, INC. AND AMENDING BUDGET

WHEREAS, by Resolution No. 214 adopted August 11, 2010, this Legislature authorized submission of a Small Cities Community Development Block Grant application in the amount of \$750,000 for the Remington Arms Company Economic Development Project; and

WHEREAS, by letter dated December 9, 2010 from Mark D. Feane, Executive Director of the Herkimer County Industrial Development Agency, this Legislature is advised that the County of Herkimer has been selected as a recipient of said 2010 New York State Economic Development Block Grant and requests the execution of the necessary documents to receive said award; and

WHEREAS, by letter dated December 9, 2010, from Bernard E. Decker, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2010 Budget in connection with the receipt of said grant funding to pass through for the benefit of the Herkimer County IDA and Remington Arms Company; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and certify the necessary documents in connection with the receipt of a 2010 New York State Economic Development Block Grant in the amount of \$750,000 for the Remington Arms Company Economic Development Project, which will support the Remington Arms Company and their interest in bringing 100 new jobs to their Ilion, New York facility; and, be it further

RESOLVED, that the 2010 Herkimer County Budget is hereby amended as follows:

Revenue:

A8687.3789 Other, Economic Assistance	From: \$0
	To: \$750,000

Appropriation

A8687.40000 Economic Development, Cont. Services	From: \$0
	To: \$750,000.00

And, be it further

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

Dated: December 15, 2010.

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

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

On motion of Mrs. Maneen, seconded by Mr. Keblish and Mr. Shaw, Report and Resolution No. 337 of the Committee on Ways and Means and the Committee on Administration/Veterans Affairs authorizing extension of contract for voter registration was handed up; there being no debate, was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

**REPORT AND RESOLUTION OF THE COMMITTEE ON
ADMINISTRATION/VETERANS AFFAIRS AND THE COMMITTEE ON
WAYS AND MEANS AUTHORIZING EXTENSION OF CONTRACT FOR
VOTER REGISTRATION**

WHEREAS, pursuant to Resolution No. 171 adopted on July 20, 2005, this Legislature approved a contract for a period of five years with NTS Data Services, LLC, for a voter registration system pursuant to the Federal Help America Vote Act; and

WHEREAS, by letter dated November 18, 2010, from Marty L. Smith and Shelly M. Pazzanese, Commissioners of Election, this Legislature is advised of a request to extend said contract for an additional five years for ongoing support and maintenance of said voter registration system; now, therefore, be it

RESOLVED, that a contract be entered into with NTS Data Services, LLC, 1342 Military Road, Niagara Falls, NY 14304 for the provision of ongoing support and maintenance of a voter registration system at a cost of \$105,863.00, with such cost to be spread over five years with a yearly payment of \$21,172.60; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute said contract, with the form of said contract to be subject to the approval of the County Attorney's Office; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Commissioners of Elections and NTS Data Services, LLC.

Dated: December 15, 2010.

JEAN E. MANEEN

BRUCE WEAKLEY

FREDERICK J. SHAW

PETER F. MANNO

STEPHEN N. KEBLISH, JR.

JOHN L. BREZINSKI
Committee on

Administration/Veterans'

Affairs

PATRICK E. RUSSELL

DENNIS KORCE

VINCENT J. BONO

BRUCE WEAKLEY

JOHN J. PISECK, JR.

BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Stone and Mr. Hyde, Report and Resolution No. 338 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 338

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 1, 2010 showing the amounts of taxes paid to the County Treasurer and the amount to be relevied as listed, namely \$4,605,996.41 of unpaid school taxes and \$1,565,465.10 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 \$4,605,996.41 with the addition of 7% and the amounts of unpaid city and village taxes in the sum of \$ 1,565,465.10 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 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. Russell, seconded by Mr. Peplinski and Mr. Korce, Report and Resolution No. 339 of the Committee on Ways and Means levying taxes for the year 2011 was handed up; there being no debate, was voted on and adopted by voice vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 339

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS LEVYING TAXES FOR THE YEAR 2011

WHEREAS, this County Legislature, by resolution duly adopted on December 15, 2010, has adopted the Budget for the fiscal year 2011, and by Resolution this date has made appropriations for the conduct of county government for the fiscal year 2010; 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 15, 2010.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 340 of the Committee on Ways and Means adopting equalization table was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING 2011 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 \$5.142086 per \$1,000.00 full value.

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. Russell, seconded by Mr. Weakley, Report and Resolution No. 341 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

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 9, 2010 from the Director of Real Property Tax Services, submitting tabulation of real property tax assessments taken from the 2010 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 2011 and that levy be made from the Committee on Finance for the several districts.

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. Russell, seconded by Mr. Bono and Mr. Peplinski, Report and Resolution No. 342 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, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

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, 2011; 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 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. Russell, seconded by Mr. Peplinski and Mr. Shaw, Report and Resolution No. 343 of the Committee on Ways and Means amending 2010

Budget in connection with Self-Insurance Fund was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 343

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AMENDING 2010 BUDGET IN CONNECTION SELF INSURANCE FUND

WHEREAS, by letter dated December 9, 2010 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2010 Budget in connection with additional funding from insurance recoveries; now, therefore, be it

RESOLVED, that the 2010 Herkimer County Budget is hereby amended as follows:

Revenue:

S1710.2680 Insurance Recoveries	From: \$205,000
	To: \$415,000

Appropriation

S1710.45000 Self Insurance, Fees for Service	From: \$1,501,000
	To: \$1,711,000

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. Russell, seconded by Mr. Peplinski, Report and Resolution No. 344 of the Committee on Ways and Means adjusting wages for hourly employees was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 344

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 adjustments must be made to the salaries for the year 2011 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 year 2011 as follows:

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

and, be it further

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

<u>Title</u>	<u>Rate</u>
Part-time Motor Vehicle Clerk (Old Forge)	\$13.44/hr
Part-time Photocopy Machine Operator	\$13.18/hr.
Full-time Data Collectors	\$11.36/hr.
Part-time Data Collectors	\$11.03/hr.
Senior Data Collector	\$16.53/hr.
Court Attendants (per diem)	\$60.40 per day
Part-time Building Maintenance Worker (Jail)	\$9.63/hr.
Part-time RN (6031)	\$21.40/hr.
Part-time Senior Telecommunicator	\$14.47/hr.
Part-time Public Safety Telecommunicator (E-911)	\$12.30/hr
Part-time Typist (A1420)	\$12.25/hr.
Part-time Account Clerk (A4010)	\$13.16/hr.
Part-time Principal Account clerk (Mental Health)	\$16.00/hr.
Part-time Computer Programmer (A1680)	\$24.50/hr.

Polling Site Coordinator (Board of Elections)	\$15.00/hr.
Voting Machine Technician (Board of Elections)	\$25.00/hr.
Part-time Community Health Nurse (Public Health)	\$19.77/hr.

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. Weakley, seconded by Mr. Stone and Mrs. Maneen, Report and Resolution No. 345 of the Committees on Ways and Means and County Properties regarding curtainwall at Herkimer County Office and Courts Facility was handed up; debate was held, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 345

**REPORT AND RESOLUTION OF THE COMMITTEES ON WAYS AND MEANS
AND COUNTY PROPERTIES REGARDING CURTAINWALL AT HERKIMER
COUNTY OFFICE AND COURTS FACILITY**

WHEREAS, this Legislature is informed by letter dated December 9, 2010 from Bernard E. Decker, Budget Officer, that a proposal has been received from March Associates, P.C. for the design of a modification to the curtainwall of the Herkimer County Office and Courts Facility, which would add a roof and EIFS system to the existing curtainwall structure to address water and ice problems with the current glass roof; and

WHEREAS, said letter further advises that said project cost is estimated at \$51,400.00 and authorization is requested for a contract in the amount of \$10,000 with March Associates, P.C. of Utica, New York, the design, preparation and advertisement of sealed bids for said construction project; now, therefore, be it

RESOLVED, that an agreement be entered into between the County of Herkimer and March Associates, P.C., 116 Business Park Drive, Utica, New York, in the amount of \$10,000 for the design, preparation and advertisement of sealed bids for a modification to the curtainwall of the Herkimer County Office and Courts Facility, which would add a roof and EIFS system to the existing curtainwall structure to address water and ice problems with the current glass roof; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer March Associates, P.C.

Dated: December 15, 2010.

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. Peplinski, Report and Resolution No. 346 of the Committee on Ways and Means authorizing insurance coverages was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 346

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING INSURANCE COVERAGES**

WHEREAS, this Legislature is informed by communication from Bernard E. Decker, Budget Officer and Purchasing Agent, dated December 13, 2010 of a request that certain policies for insurance coverages be approved for the year beginning December 9, 2010 through December 9, 2011, and that although individual premiums may vary up or down depending on items added or deleted, the totals for each Agency will not exceed the amount listed; and

WHEREAS, sufficient monies are available to cover said expense; and

WHEREAS, said coverages are recommended by the Committee on Ways and Means; now, therefore, be it

RESOLVED, that policies of insurance beginning December 9, 2010, are authorized by this Legislature as follows:

**NYMIR
c/o Mang Insurance Agency
56 North Main Street
Gloversville, NY 12078**

<u>COVERAGE</u>	<u>PREMIUM</u>
Property	\$40,146.70
Inland Marine	17,303.00
Auto	84,433.80
General Liability	79,445.30
Law Enforcement Liability	48,532.00
Boiler & Machinery	8,002.50
Public Officials Liability	22,786.50

Excess Liability	56,993.20
OCP	275.00
General Liability – Health Care	1,038.97
Healthcare Professional Liability – occurrence	10,123.27
Healthcare Professional Liability – Claims	15,758.96
Fire Inspection Fee	175.99
Motor Vehicle Fee	<u>1,580.00</u>
Total -	\$386,595.19

And, be it further

RESOLVED, that additional policies of insurance, beginning December 9, 2010, are authorized by this Legislature with brokers as listed below as follows:

Day, Scarafile & Read, Inc.
P.O. Box 307
23 North Ann Street
Little Falls, NY 13365

<u>COVERAGE</u>	<u>PREMIUM</u>
Excess Employees Liability	\$ 8,229.00

SEFCU Insurance
7 Airport Park Blvd.
Latham, NY 12110

<u>COVERAGE</u>	<u>PREMIUM</u>
Crime Insurance	\$ 4,899.00

And, be it further

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute any documents on behalf of the County of Herkimer in order to bind and purchase said insurance coverages; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Day, Scarafile & Read, Inc., SEFCU Insurance and the New York Municipal Insurance Reciprocal.

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. Russell, seconded by Mr. Bono, Resolution No. 347 of the Committee on Ways and Means authorizing attendance at conferences for municipal officers and employees during the year 2010 was handed up; debate was held, was voted on and adopted by voice vote:

For: Ayes (16).

Against: Rose (1).

Absent: None.

No. 329

**RESOLUTION OF THE COMMITTEE ON WAYS & MEANS
AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL
OFFICERS AND EMPLOYEES DURING THE YEAR 2011**

RESOLVED, that the following county officials and employees be, and they hereby are, authorized during the year 2011 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 conferences and meetings. 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). Nutrition Services Coordinator - meetings called by New York State Association of Nutrition and Aging Services Programs and the Aging Services Dieticians of NYS

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, Home Care Association Annual 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 Early Intervention Conference, Annual Immunization Action Conference; PCAP staff to attend New York State Perinatal Association Conference and Central New York Council on Adolescent Pregnancy.

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 Justices, 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 (MAGLOCLN) 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 15, 2010.

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. Korce, Resolution No. 348 of the Committee on Ways and Means authorizing payment of dues for municipal officers and employees during the year 2010 was handed up; debate was held, was voted on and adopted by voice vote:

For: All ayes (16).

Against: Rose (1).

Absent: None.

No. 348

RESOLUTION OF THE COMMITTEE ON FINANCE AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2010

RESOL YED, that dues are hereby authorized to be paid for the county officers and employees in those organizations specifically set forth below, which payments shall be audited, allowed and paid the same as other claims against the County of Herkimer are paid:

County Officer/Employee	Association/Organization	Amount
Director, Office for Aging Nutrition Services Coordinator	NYS Assoc. of Area Agencies	\$1,100.00
Nutrition Services Coordinator	NYS Assoc. of Nutrition & Aging Services Programs	75.00
Director and Nutrition Services Coordinator	Nat'l. Assoc. of Nutrition & Aging Services Programs	165.00
County Attorney	Meals on Wheels Association of America	150.00
Personnel Officer	Aging Service Dieticians ofNYS	35.00
Clerk of Legislature	County Attorneys' Assoc. of State of New York	411.00
County Administrator	Society for Human Resources Management	160.00
County Clerk and Deputy CC	NYS Assoc. County Personnel & Civil Service Officer	100.00
Country Manor	NYS Assoc. of Clerks of Legislative Boards	100.00
Dir. of Weights & Measures	NYS Co. Administrators Assoc.	400.00
Election Commissioners (2)	NYS Assoc. of County Clerks	200.00
Employment & Training Dir.	NY ALGRO (3 memberships @ \$30)	90.00
	Property Records Industry Assoc. National	50.00
	Safety Council & Safety Council Of Central and Western NY	270.00
	Activities Assoc. District #5	20.0
	Mohawk Valley Activities Assoc.	10.0
	NYS Assoc. of Weights & Meas.	20.00
	Nat'l. Bureau of Weights & Measures	75.00
	Conference on Weights and Measures Semi-Annual NYS Central Group Conference & Training	40.00
	NYS Election Commissioners Assoc. SO/ea.	
	NY ATEP/NAPTEP/NASAC	100.00
	ESoyes Herkimer County	
	ADC	3,000.00

150.00 100.00

Exec. Dir. of Youth Bureau	Assoc. of NYS Youth Bureaus	200.00	
	Capital District Youth Bureau Assoc.	50.00	
	Herkimer County Council for Social Concerns	5.00	
	NYS Rural Human Services Coalition	10.00	
	CRIS Program	30.00	
Coroners	NYSACCME (3 at \$100/ea.)	300.00	
Highway Superintendent	NYS County Highway Supt. Association	300.00	
	Nat'l. Society of Professional Engineers	275.00	
Highway Maintenance Supervisor and/or Deputy Superintendent (2)	NYS Safety Officers Assoc.	75.00	
Legislators	NYS Assoc. of Counties	7,122.00	
	National Assoc. of Counties	1,426.00	
Dir. of Community Services	NYS Mental Hygiene Directors Association	2,016.00	
Director of Emergency Services	NYS Fire Coordinators' Assoc. (Director and Deputies)	180.00	
	NYS Emergency Managers Assoc.	80.00	
	Region III Emergency Management Assoc.	60.00	
	NYS 911 Coordinators Assoc. (Director and Communications Supervisor)	80.00	
Probation Director	NYS Council of Probation Administrators	500.00	
	American Probation and Parole Association	50.00	
	NYS Assoc. for Pretrial Service Agencies	25.00	
	NYS Probation Officers Assoc. Administrative Member	12.50	
	Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network(MAGLOCLLEN)	400.00	
Probation Supervisor (2)	NYS Probation Officers Association (\$25/ea.)	50.00	
	NYS Pretrial Service Agencies (\$25/ea.)	50.00	
Senior Probation Officer (3)			
Probation Officers! Trainees (to 12)	NYS Probation Officers/ Association (\$25/ea.)	375.00	

Probation Officer/Probationer (2)	NYS Assoc. for Pretrial Service Agencies (\$25/ea.)	50.00
District Attorney	NYS District Attorneys' Assoc. (D.A. and Assistant D.A. 's)	750.00
Dir. of Public Health:		
Public Health Nursing Service	Home Care Assoc. of NYS	2,000.00
PCAP	NYS Association of County Health Officials Infection Control Assoc. .	1,147.50
	Prevent Child Abuse America Aff. Fee	20.00
	National Women's Health Resource Center	1,000.00
	ASPOLamaze	25.00
	National Health Mothers/Healthy Babies	75.00
	Central NY Council on Adolescent Pregnancy	35.00
	NYS Perinatal Assoc.	60.00
Dir. of Information Services	NYS Directors of Data Processing Association	40.00
		50.00
Real Property Tax Director	NYSAC - Conference Registration	
	NYS County Directors Assoc. Associations	300.00
	Northeast Regional Directors Assoc. NYS Assessors' Association 3@85.00 NYS Assessors' Association 1@115.00	90.00
	Herkimer County Assessors' Assoc. (6 towns)	25.00
	Continuing Education: (Assessor's Training)	255.00
	Herkimer County Assessor's Assoc.	115.00
		60.00
		500.00
		15.0
Sheriff	NYS Sheriffs' Association	270.00
	NYS Welfare Fraud Association	60.00
	LETD NYS (Law Enforcement Training Directors)	60.00
	NYS D.A.R.E. Officers Assoc.	40.00
	NYS Co. Correctional Instructors Assoc.	40.00
	American Jail Association	144.00
	NYS Association of Traffic Safety Boards	75.00
	International Association of Hostage Negotiators	75.00
	East Coast Gang Investigators Association	25.00
	NYS Association of Incarcerated Education Programs, Inc.	45.00
		25.00
	National Assoc. of Chiefs of Police	
	American Safety & Health Institute	50.00
	Central NY Assoc. of Chiefs of Police	75.00
		50.00
Dept. of Social Services:	American Public Human Services Assoc.	600.00
	NYS Public Welfare Assoc.	3,842.00
	Long Term Care Association	50.00
	NY Welfare Fraud Investigators Assoc.	25.00

Dir. of Administrative Services	Fiscal Administrators' Assoc. ofNYS Public Welfare Assoc. NYS Staff Development Assoc.	25.00
Staff Development		25.00
Supervisor - Sewer District - Plant Operator	NYS Water Environment Federation) NYS Water Environment Association)total	360.00
STOP-DWI Coordinator	NYS STOP-DWI Coordinators' Association	900.00
	NYS Assoc. of Traffic Safety Bds.	75.00
	Mohawk Valley School Resource Officers Coalition	20.00
County Treasurer/ Deputy Treasurer	NYS County Treasurers' and Finance Officers' Association	100.00
	NYS Govt. Finance Officers' Association	140.00
Veterans' Service Officer	County Veterans Service Officers Assoc. OfNYS, Inc.	25.00
	American Legion	25.00
	Vietnam Veterans of America	20.00
	National County Veterans' Service Organization	30.00
	Marine Corps League dues	25.00
Planning Board Chairman	NYS Planning Federation	235.00

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 above.

Dated: December 15, 2010.

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. Ackerman, seconded by Mr. Piseck, Resolution No. 349 of the Committee on County Properties authorizing agreement with the City of Little Falls and further court proceedings in connection with In Rem parcels in the City of Little Falls was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

No. 349

RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES AUTHORIZING AGREEMENT WITH THE CITY OF LITTLE FALLS AND FURTHER COURT PROCEEDINGS IN CONNECTION WITH IN REM PARCELS IN THE CITY OF LITTLE FALLS

WHEREAS, the County of Herkimer foreclosed on delinquent tax liens for the year 2008 including two separate parcels in the City of Little Falls having Tax Map No. 114.68-6-28, formerly assessed to Orlando Houses, LLC and 114.68-6-42, formerly assessed to First Trust Group, Inc.; and

WHEREAS, shortly after the County took title to those parcels the City of Little Falls placed two code relevy liens on those parcels, in the amount of \$44,880.00 and \$16,632.00 respectively and as a result the judgment conveying ownership of those two parcels to the County of Herkimer was set aside; and

WHEREAS, the City of Little Falls has requested that the County obtain title to those parcels and has agreed to vacate the code relevies totaling \$61,512.00 on the parcels as consideration for the conveyance, and has also requested that the parcels be conveyed to the City of Little Falls; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with the City of Little Falls containing the above terms and conditions, together with conditions that the City of Little Falls shall indemnify and hold the County harmless from any and all costs, damages or claims relating to those premises and also providing that in the event that the City of Little Falls sells either of those parcels, any amounts received by the City shall be turned over to the County of Herkimer up to the amount of any unpaid real property taxes, interest and penalties; and, be it further

RESOLVED, that further legal proceedings are hereby authorized to seek transfer of title of those premises to the County of Herkimer; and, be it further

RESOLVED that the Chairman of this Legislature is also authorized to execute deed to the City of Little of Little Falls upon the occurrence of the above described events; and, be it further

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

Dated: December 15, 2010.

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. Weakley, seconded by Mr. Bono, Resolution No. 350 of the Committee on Ways and Means authorizing an agreement with the Town of Webb regarding premises at 139 Sonne Road, Town of Webb, Herkimer County, New York, was handed up; voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

No. 350

**RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES AND THE
COMMITTEE ON WAYS AND MEANS AUTHORIZING AN AGREEMENT WITH
THE TOWN OF WEBB REGARDING PREMISES AT 139 SONNE ROAD, TOWN OF
WEBB, HERKIMER COUNTY, NEW YORK**

WHEREAS, the Town of Webb has approached the County of Herkimer regarding premises located at 139 Sonne Road, Old Forge, New York, and advised that it has demolished a structure on the premises and incurred total demolition costs of \$13,870.85, which the Town wishes to collect pursuant to a town tax levy on the premises; and

WHEREAS, in the event that the taxes are not paid, the County would be foreclosing against the property in order to collect the amount owed, but in the event that there is no practicable method to enforce the collection of that lien the County would not have to proceed with a foreclosure; and

WHEREAS, the Town of Webb advises that it wishes the County to go forward with the foreclosure and is going to reimburse the County for any and all amounts the County is unable to recover after a foreclosure sale; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with the Town of Webb containing the above provisions, and also containing a provision that the Town will hold the County harmless from any and all environmental problems or conditions which may exist in connection with the premises; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, County Attorney and Town Clerk of the Town of Webb.

Dated: December 15, 2010.

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. Peplinski, Resolution No. 351 of the Committee on Ways and Means authorizing contracts with non-profit organizations for the year 2011 was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 351

**RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING
CONTRACTS WITH NON-PROFIT ORGANIZATIONS FOR THE YEAR 2011**

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 2011 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 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. Russell, seconded by Mr. Stone, Resolution No. 352 of the Committee on Ways and Means authorizing contract with Mid-York Library System for the year 2011 was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 352

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH MID-YORK LIBRARY SYSTEM FOR THE YEAR 2011

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 2011 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	2011 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, 2011; 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 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. Russell, seconded by Mr. Peplinski, Report and Resolution No. 353 of the Committee on Ways and Means authorizing contract with Adirondack Park Local

Government Review Board was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 353

**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 2011; 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, 2011; 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 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. Russell, seconded by Mr. Shaw, Report and Resolution No. 354 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 was handed up; there being no debate, was voted on and adopted by voice vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

No. 354

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 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. Korce, seconded by Mrs. Maneen and Mr. Shaw, Resolution No. 355 approving minutes for 2010 was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

RESOLVED, that the minutes as finally read by the Clerk, and each day read and accepted be, and the same hereby are, approve 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 2010.

Dated: December 15, 2010.

DENNIS KORCE

On motion of Mr. Manno, seconded by Mr. Stone, Resolution No. 356 approving Chairman's and Clerk's Certificate was handed up; there being no discussion, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 356

We, Raymond Smith, Chairman and Carole L. LaLonde, Clerk of the Herkimer County Legislature, do hereby certify that the foregoing Proceedings of the Legislature of the County of Herkimer for the Special, Regular and Annual Sessions of 2010, and the same be printed in the volume by authorization of said Herkimer County Legislature.

Dated: December 15, 2010.

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 legislators had further comments: Chairman Smith, Mr. Russell, Mrs. Rose.

At 8:35 p.m., on motion of Mr. Manno, seconded by Mr. Stone, the Legislature adjourned to Wednesday, January 5, 2011 at 2:00 p.m.