INTRODUCTORY LOCAL LAW NO. 3 - 2016

LOCAL LAW NO. 1 - 2017

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

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

Section 1. The base annual salary of the County Sheriff shall be the sum of Seventh Thousand Two Hundred Thirty-Three Dollars ($70,233).

Section 2. The base annual salary of the County Administrator shall be the sum of One Hundred Two Thousand Seventy-Four Dollars ($102,074).

Section 3. The base annual salary of the Budget Officer and Purchasing Agent shall be the sum of Sixty Thousand Six Hundred Fifty-One Dollars ($60,651).

Section 4. The base annual salary of the County Attorney shall be the sum of One Hundred Thirty Six Thousand Six Hundred Eighty-One Dollars ($136,681).

Section 5. The base annual salary of the Commissioner of Social Services shall be the sum of Eighty Four Thousand Forty-Nine Dollars ($84,049).

Section 6. The base annual salary of the Director of Real Property Tax Services shall be the sum of Fifty Two Thousand Three Hundred Fifty-Nine Dollars ($52,359).

Section 7. The base annual salary of the Personnel Officer shall be the sum of Seventy One Thousand Six Hundred Thirty-Six Dollars ($71,636).

Section 8. The base annual salary of the Director of Public Health shall be the sum of Sixty Five Thousand Nine Hundred Nineteen Dollars ($65,919).

Section 9. The base annual salary of the County Auditor shall be the sum of Fifty Six Thousand Four Hundred Seventy-Six Dollars ($56,476).

Section 10. The salary of the county coroners shall be One Hundred Twenty-Six Dollars ($126.00) per call.

Section 11. This Local Law shall take effect forty-five days after its adoption and shall be subject to a permissive referendum.

Dated: November 16, 2016.

INTRODUCTORY LOCAL LAW NO. 1 – 2017

LOCAL LAW NO. 2 - 2017

LOCAL LAW OF THE COUNTY OF HERKIMER REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-g

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

SECTION 1. A Local Law Imposing A Surcharge On Wireless Communications Service To Be Used For Public Safety Communications Network Costs, Local Law No. 3 of 2002, is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Herkimer on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law §186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the County Legislature of the County of Herkimer and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

Dated: July 12, 2017.