

MINUTES
Herkimer County Legislature
First Quarter – Third Day
Wednesday, February 13, 2013
7:30 p.m.

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

Chairman Bono called on Kathy Fox, Director of the Office for the Aging, to lead the Legislature in the Pledge of Allegiance.

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

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

Present: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Absent: None.

Chairman Bono dispensed with the regular session to allow for the presentation of a proclamation and called on Legislator Manno. Mr. Manno called on Coach Pepe Aragon and the members of the 2012 HCCC Men's Soccer Team to receive a proclamation in honor of their winning the 2012 National Junior College Athletic Association Division III National Soccer Championship. Coach Aragon and the team expressed their appreciation for this recognition.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of January 23, 2013. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. There was one appearance on the following topic: Carl Streeter – Proposed New Jail.

Chairman Bono 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.

44 – A communication was received from ProAct, Inc. submitting the Monthly Discount Prescription Card Report for December. Placed on file.

- 45(2) - Communications were received from the Sheriff submitting monthly reports for Nov. and Dec. 2012. Placed on file.
- 46 – A communication was received from the Sheriff submitting his Annual Report for 2012. Referred to the Committee on Public Safety and Emergency Management.
- 47 – A communication was received from the Director of Information Services submitting their Annual Report for 2012. Referred to the Committee on Information Services.
- 48 – A communication was received from Board of Elections submitting their Annual Report for 2012. Referred to the Committee on Administration/Veterans' Affairs.
- 49 – A communication was received from the Director of Emergency Services concerning membership on Emergency Services Advisory Board. Referred to the Committee on Public Safety/Emergency Management.
- 50 – A communication was received from the Director of Probation requesting acceptance of Ignition Interlock Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.
- 51 – A communication was received from the County Auditor submitting report of approval of corrected tax refund applications for January. Placed on file.
- 52 – A communication was received from Assemblywoman Claudia Tenney concerning NY SAFE Act. Placed on file.
- 53 – A communication was received from the Director of Emergency Services – Requesting contract for Emergency Notification System. Referred to the Committee on Public Safety and Emergency Management and the Committee on Ways and Means.
- 54 – A communication was received from the Commissioner of Social Services – Submitting request from Mary Sullivan for extension of leave of absence. Referred to the Committee on Ways and Means.
- 55 – A communication was received from the Mid-York Library System – Expressing appreciation for Herkimer County's continued support of public libraries. Placed on file.
- 56 – A communication was received from the Director of the Office for Aging Submitting her Annual Report for 2012. Referred to the Committee on Human Resources.
- 57 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.
- 58 – A communication was received from the Herkimer County Bar Association advising of Electing Keith Bowers as Administrator of the Assigned Counsel Program. Placed on file.

59(2) – A communication was received from the Soil & Water Conservation District submitting minutes for 12/18/12 and 1/8/13. Placed on file.

60 – A communication was received from the Director of Community Services submitting the January activities update. Placed on file.

61 – A communication was received from the Director, Office for Aging requesting renewal of contracts under EISEP. Referred to the Committee on Human Resources and the Committee on Ways and Means.

62 – A communication was received from the Director of the Office for Aging requesting new contract under EISEP. Referred to the Committees on Human Resources and Ways and Means.

63 – A communication was received from the Director of Emergency Services requesting extension of 2009 Homeland Security Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

64 – A communication was received from the Budget Officer – Requesting reserve of 2012 balance for county building improvements. Referred to the Committee on Ways and Means.

65 – A communication was received from the Budget Officer requesting appropriation from Fund Balance for County Snow contracts. Referred to the Committee on Ways and Means.

66 – A communication was received from the Director of Probation requesting agreement for Electronic Monitoring Services. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

67 – A communication was received from the Budget Officer concerning vehicle modification. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

68 – A communication was received from the Personnel Officer requesting special legislation regarding residency requirements. Referred to the Committee on Human Resources and Ways and Means.

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

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

For: Ayes (17).

Against: None.

Absent: None.

Consent Agenda:

- | | | |
|----|---|----------------|
| 34 | PUB. SFTY./EMER. MGMT.: Approving monthly reports of Sheriff | VOICE |
| 35 | PUB. SFTY./EMER. MGMT.: Approving Annual Report of Sheriff | VOICE |
| 36 | ADMIN./VET. AFFAIRS: Approving Annual Report of Board of Elections | VOICE |
| 37 | INFORMATION SERVICES: Approving Annual Report of Office for Aging | VOICE |
| 38 | INFORMATION SERVICES: Approving Annual Report of Information Services | VOICE |
| 39 | WAYS & MEANS: Transferring funds in 2012 Budget | VOICE |
| 40 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Extending contract for Homeland Security Grant for Office of Emergency Services | VOICE |
| 41 | HUMAN RES., WAYS & MEANS: Authorizing contract with State for reimbursement for Rabies Program expenses | VOICE
VOICE |

No. 34

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

WHEREAS, your Public Safety & Emergency Management Committee, to which was referred the reports of the Sheriff for the months of November and December, 2012, respectfully report that we have examined said reports, recommend that they be approved and offer the following Resolution:

RESOLVED, that the report of the Herkimer County Sheriff for the month of November, 2012, which report reflects an average daily population of 73.37 inmates, with an average of 48.98 inmates being boarded out in November, and the report for the month of December, 2012, which report reflects an average daily population of 76.13 inmates, with an average of 49.33 inmates being boarded out in December, be approved and filed.

Dated: February 13, 2012.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE
BERNARD PEPLINSKI, SR.

**Committee on Public Safety/
Emergency Management**

No. 35

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY &
EMERGENCY MANAGEMENT APPROVING ANNUAL REPORT OF THE
SHERIFF**

WHEREAS, your Committee on Public Safety & Emergency Management, to which was referred the communication from the Herkimer County Sheriff submitting the 2012 Annual Report of the Sheriff's Office, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2012 Annual Report of the Sheriff's Office hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2012.

Dated: February 13, 2013.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE
BERNARD PEPLINSKI, SR.
**Committee on Public Safety/
Emergency Management**

No. 36

**REPORT AND RESOLUTION OF THE COMMITTEE ON
ADMINISTRATION/VETERANS' AFFAIRS ADOPTING ANNUAL REPORT OF THE
BOARD OF ELECTIONS**

Your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2012, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Board of Elections be approved and placed on file with the Herkimer County Legislature for the year 2012.

Dated: February 13, 2013.

JEAN E. MANEEN
BRUCE WEAKLEY
FREDERICK J. SHAW
ROBERT N. HYDE
PETER F. MANNO
RAYMOND JOHNSON
**Committee on Administration/
Veterans Affairs**

No. 37

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE
AGING**

Your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 2012, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2012.

Dated: February 13, 2013.

RAYMOND SMITH
FREDERICK SHAW, JR.
JEAN E. MANEEN
LEONARD HENDRIX
PATRICK E. RUSSELL
PETER F. MANNO
Committee on Human Resources

No. 38

**REPORT AND RESOLUTION OF THE COMMITTEE ON INFORMATION SERVICES
ADOPTING ANNUAL REPORT OF THE INFORMATION SERVICES DEPARTMENT**

Your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2012, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Information Services Department be approved and placed on file with the Herkimer County Legislature for the year 2012.

Dated: February 13, 2013.

KURT J. ACKERMAN
PETER F. MANNO
JEAN E. MANEEN
BERNARD PEPLINSKI
GARY M. HARTMAN
HELEN T. ROSE
Committee on Information Services

No. 39

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS
TRANSFERRING FUNDS IN 2012 BUDGET**

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated February 6, 2013, submitting requests for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts in the 2012 Budget:

\$8,200.00	From: CD6300.10000-001 ETA Dislocated, Salaries
	To: CD6300.86000 ETA Dislocated Worker, Health Insurance
\$800.00	From: CD6292A.10100-022 ETA Youth Tr., Summer Youth
	To: CD6292A.81000, ETA Youth, Retirement
\$1,900.00	From: CD6292.10000-001 ETA Adult Training, Salaries
	To: CD6292.81000 ETA Adult Training, Retirement
\$4,500.00	From: CD9292.10000-001 ETA Adult Training, Salaries
	To: CD9292A.81000 ETA Youth Training, Retirement
\$4,400.00	From: CD6292.10000-001 ETA Adult Training, Salaries
	To: CD6292A.86000 ETA Youth Training, Health Insurance
\$20,000.00	From: A3150.86000 Jail, Health Insurance
	To: A3150.10000-002 Jail, Overtime
\$2,620.00	From: A1010.86000 Legislature, Health Insurance
	To: A1010.10000-003 Legislature, In Lieu

\$18.00	From: A1040.86000 Clerk of Legislature, Health Insurance To: A1040.10000-003 Legislature, In Lieu
\$69.00	From: A1320.86000 County Auditor, Health Insurance To: A1320.10000-001 County Auditor, Salaries
\$1,864.00	From: A1620.25000 County Bldgs., Other Equip. To: A1620.10000-001 County Buildings, Salaries
\$20.00	From: A2960.86000 Ed. of Handicapped Child., Health Insurance To: A2960.10000-001 Ed. of Handicapped Child., Salaries
\$5,169.00	From: A3021.86000 Public Safety Comm., Health Insurance To: A3021.10000-002 Public Safety Comm., Overtime
\$1,668.00	From: A3140.86000 Probation, Health Insurance To: A3140.10000-001 Probation, Salaries
\$470.00	From: A3141.86000 Alt. to Inc., Health Insurance To: A3141.10000-001 Alt. to Inc., Salaries
\$5,021.00	From: D5020.10000-001 Hwy. Engineering, Salaries To: D5010.10000-001 Hwy. Admin., Salaries
\$4,027.00	From: D5020.10000-001 Hwy. Engineering, Salaries To: D5110.10000-001 Hwy. Maint. Div., Salaries
\$237.85	From: CD6291.41000-160 ETA TANF, Inventory To: CD6291.10100-022 ETA TANF, Summer Youth
\$210.02	From: CD6291.41000-205 ETA TANF, Printing To: CD6291.10100-022 ETA TANF, Summer Youth
\$150.55	From: CD6291.44000-370 ETA TANF, Copier To: CD6291.10100-022 ETA TANF, Summer Youth
\$120.00	From: CD6291.45000 ETA TANF, Fees for Service To: CD6291.10100-022 ETA TANF, Summer Youth
\$20.75	From: CD6291.46300 ETA TANF, Postage To: CD6291.10100-022 ETA TANF, Summer Youth
\$583.04	From: CD6291.81000 ETA TANF, Retirement To: CD6291.10100-022 ETA TANF, Summer Youth
\$30.00	From: A1450A.83000 BOE Admin., Soc. Sec. To: A1450A.10100 BOE Admin., Temp. Employees
\$20.00	From: CD6291.41000-160 ETA TANF, Inventory To: CD6291.10100-022 ETA TANF, Summer Youth
\$2,750.00	From: A7320.10100 Youth Summer Work Prog., Temp. Employees. To: A7320.81000 Youth Summer Work Prog., Retirement

and, be it further

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

Dated: February 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT J. ACKERMAN
Committee on Ways and Means

No. 40

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS EXTENDING CONTRACT FOR HOMELAND SECURITY GRANT FOR THE OFFICE OF EMERGENCY SERVICES

WHEREAS, pursuant to Resolution No. 260 of 2010, this Legislature approved an agreement with the New York State Office of Homeland Security to receive \$132,722.00 through the 2009-2012 Homeland Security Grant Program, which grant included funding for the Fire Department Consolidation/Efficiency Study ; and

WHEREAS, by letter dated January 15, 2013 from Robert Vandawalker, Director of Emergency Services, this Legislature is advised that an extension of said grant has been submitted to expend any unused funds through April 30, 2013; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension on behalf of the County of Herkimer with the New York State Division of Homeland Security and Emergency Services, in connection with the receipt of a grant in the amount of \$132,722.00 received through the 2009-2012 Homeland Security Grant Program, to expend any unused funds through April 30, 2013; 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 the New York State Division of Homeland Security and Emergency Services.

Dated: February 13, 2013.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE

BERNARD PEPLINSKI, SR.
**Committee on Public Safety and
Emergency Management**

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

No. 41

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND
THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH
STATE FOR REIMBURSEMENT FOR RABIES PROGRAM EXPENSES**

WHEREAS, by letter dated January 23, 2013 from Christina Cain, Acting Director of Public Health, this Legislature is advised of a request to enter into a contract with New York State Department of Health, Bureau of Communicable Disease Control, for reimbursement for the Herkimer County Public Health Nursing Service Rabies Program, which supports the provision of human rabies treatment, specimen collection, pet vaccination clinics, education and prevention; and

WHEREAS, said contract covers a five year period from April 1, 2012 to March 31, 2017 for a total contract amount of \$61,623.45, with each year's award to be \$12,324; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the New York State Department of Health, Bureau of Communicable Disease Control, to provide reimbursement for expenses incurred by the Herkimer County Public Health Nursing Service under the Rabies Program for a period of five years from April 1, 2012 through March 31, 2017, for a total contract amount of \$61,623.45; and, be it further

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

Dated: February 13, 2013.

RAYMOND SMITH
FREDERICK SHAW, JR.
JEAN E. MANEEN
LEONARD HENDRIX
PATRICK E. RUSSELL

PETER F. MANNO
Committee on Human Resources

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 42 of the Committee on Ways and Means making appropriation of funds in connection with county snow removal contracts was handed up; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 42

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
MAKING APPROPRIATION OF FUNDS IN CONNECTION WITH COUNTY SNOW
REMOVAL CONTRACTS**

WHEREAS, by letter dated February 6, 2013, the Herkimer County Budget Officer has advised this Legislature that there are sufficient funds in Account D909, County Road Fund Balance, to provide funds for County snow removal contracts with the towns, which formula is based on yearly sales tax collection and has exceeded the estimated amount for 2012; now, therefore, be it

RESOLVED, that the sum of \$33,980.00 is hereby appropriated from D909, County Road Fund Balance, to D5142.44000, County Snow Removal – Contracted Services; and, be it further

RESOLVED, that the Herkimer County Treasurer is hereby authorized and empowered to transfer the said sum to the said account; 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: February 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE

RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 43 of the Committee on Ways and Means transferring funds to Reserve Account was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 43

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
TRANSFERRING FUNDS TO RESERVE ACCOUNT**

WHEREAS, by communication dated February 6, 2013 from Bernard E. Decker, Budget Officer, this Legislature is advised that it is necessary to transfer the unspent balance at the close of books for the year 2012 in the amount of approximately \$110,000, in Account A1620.42000, County Buildings – Utilities, to Account 889N – Reserve for County Building Improvements and reserved there for future use on improvements to Herkimer County Buildings; now, therefore, be it

RESOLVED, that this Legislature does hereby authorize that the unspent balance in Account A1620.42000, County Buildings – Utilities, at the close of books for the year 2012 be transferred to Account A889N – Reserve for County Building Improvements and reserved there for future use on improvements to Herkimer County Buildings; and, be it further

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

Dated: February 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mr. Smith, seconded by Mrs. Maneen, Report and Resolution No. 44 of the Committees on Human Resources and Ways and Means concerning services in connection with Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 44

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS CONCERNING SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

WHEREAS, pursuant to resolutions previously adopted, contracts were authorized between the Herkimer County Office for the Aging and At Home Care, Inc., the Department of Social Services, Home Aide Services for Central Adirondacks (HASCA) and Superior Home Health Care, for said contractors to provide services for the Expanded In-Home Services for the Elderly Program (EISEP); and

WHEREAS, by communication dated February 1, 2013, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into renewal of the aforesaid contracts for the period of April 1, 2013 to March 31, 2014 to fund case management, housekeeper/chore and homemaker/personal care services to the frail elderly not eligible for Medicaid; and

WHEREAS, by communication dated February 1, 2013, Kathy L. Fox, Director of the Office for the Aging, has further requested an additional new contract with the Resource Center for Independent Living (RCIL) to offer Financial Management Services for the Expanded In-Home Services for the Elderly Program (EISEP) Consumer Directed In-Home Services Program, with funding to be 75%/25% and the Office for the Aging will provide the local match; now, therefore, be it

RESOLVED:

1. That a contract be entered into between the Herkimer County Office for the Aging and At Home Care, Inc., 25 Elm Street, Oneonta, NY 13820 to provide such care for the frail elderly in the amount of \$106,550.00, which shall come from state funds, with the local match to be provided by the Office for the Aging. The hourly rate for service will be \$20.34 for housekeeper/chore and \$20.69 for homemaker/personal care, which may be renegotiated based on receipt of approved Medicaid rates;
2. That a contract be entered into between the Herkimer County Office for the Aging and the Herkimer County Department of Social Services to provide case management services in the amount of \$65,000.00; with state aid reimbursement of 75% up to \$48,750, with the local match to be provided by the Department of Social Services;
3. That a contract be entered into with Superior Home Health Care of Herkimer, New York, for contracted aide services estimated to be \$62,300.00, and local match to be provided by the Office for the Aging. The hourly rate for services will be \$18.75, which may be renegotiated based on receipt of approved Medicaid rates;

4. That a contract be entered into with HASCA of Old Forge, New York, for contracted aide services estimated to be \$31,150.00, with local match to be provided by the Office for the Aging. The hourly rate for services will be \$21.10;
 5. That a contract be entered into with Resource Center for Independent Living, Steuben Center, 401 E. German St., Herkimer, NY, for Financial Management Services estimated to be in the amount of \$25,000.00, with the local match to be provided by the Office for the Aging. The hourly rate for services will be \$14.20 for housekeeper/chore and \$16.04 for homemaker/personal care;
 6. That all contracts shall state that payments are based on availability of state aid and will include a 60 day cancellation of contract clause;
 7. That the contract between the Office for the Aging and the other Herkimer County department be executed by the department head and countersigned by the Chairman of this Legislature;
 8. That the Chairman of this Legislature is hereby authorized to execute said contracts with At Home Care, Inc., Superior Home Health Care and Home Aide Service of the Central Adirondacks on behalf of the County of Herkimer;
9. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging, Commissioner of Social Services, At Home Care, Inc., Superior Home Health Care, Home Aide Service of the Central Adirondacks and the Resource Center for Independent Living.

Dated: February 13, 2013.

RAYMOND SMITH
 FREDERICK J. SHAW, JR.
 JEAN E. MANEEN
 LEONARD HENDRIX
 PATRICK E. RUSSELL
 PETER F. MANNO
Committee on Human Resources

PATRICK E. RUSSELL
 DENNIS KORCE
 RAYMOND SMITH
 BRUCE WEAKLEY
 BERNARD PEPLINSKI, SR.
 KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Korce, Report and Resolution No. 45 of the Committee on Ways and Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw (14).

Against: Hendrix, Hyde, Weakley (3).

Absent: None.

No. 45

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
GRANTING AN ADDITIONAL LEAVE OF ABSENCE**

WHEREAS, by Resolution No. 370 for the year 1986, a leave with pay was granted to Mary Sullivan extending to July 1, 1988, so that she could serve in a statewide office with the Civil Service Employees' Association; and

WHEREAS, said leave with pay was extended by resolutions thereafter, most recently by Resolution No. 47 of 2012 to expire June 30, 2013; and

WHEREAS, by letter dated February 4, 2013, Timothy Seymour, Commissioner of Social Services has advised that by letter dated January 4, 2013, Mary Sullivan has requested said leave be extended; now, therefore, be it

RESOLVED, that a leave of absence with pay be granted to Mary Sullivan under the terms and conditions set forth in Resolution No. 370 for the Year 1986 for the period from July 1, 2013 through June 30, 2014, with the Civil Service Employees' Association, Inc. to furnish insurance in form and amount satisfactory to the Herkimer County Administrator to protect the County if held liable for any damages arising from act or omission by such employee during the period of such leave and with the County to be reimbursed for the full salary and total cost for the full salary and total cost for fringe benefits for said Mary Sullivan; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Commissioner of Social Services, Mary Sullivan and the Civil Service Employees' Association, Inc. of New York State.

Dated: February 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mr. Hendrix, seconded by Mr. Hyde, Report and Resolution No. 46 of the Committee on Public Safety/Emergency Management appointing members and increasing membership to Emergency Medical Services Advisory Board was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 46

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT APPOINTING MEMBERS AND INCREASING MEMBERSHIP TO EMERGENCY MEDICAL SERVICES ADVISORY BOARD

WHEREAS, by Resolution No. 275 of 1993 this Legislature established an Emergency Medical Services Advisory Board in Herkimer County and appointed five members to serve on said Board; and

WHEREAS, by letter dated January 15, 2013, from Robert Vandawalker, Director of Emergency Services, this Legislature has received the request that said membership be increased to 9 pursuant to County Law, Section 223-b and has further received the recommendation for appointment of additional members to the Emergency Medical Services Advisory Board for a term of three years commencing this date; now, therefore, be it

RESOLVED, that the Herkimer County Emergency Medical Services Advisory Board is hereby increased from five members to nine members effective this date; and, be it further

RESOLVED, that the following named persons be, and hereby are, appointed as members of the Herkimer County Emergency Medical Services Advisory Board for a term of three years commencing this date:

Jean Guiney – Supervisor, Little Falls Hospital Emergency Department
Robert Paddock – Deputy Chief, Ilion Fire Dept. and EMS Trainer – St. Luke’s Program
Donald Kane – Schuyler Ambulance/Fire Department
Steve Anderson – LifeNet of New York

And, be it further

RESOLVED, that certified copies of said Resolution be forwarded to the Director of Emergency Management and the above named appointees.

Dated: February 13, 2013.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE
BERNARD PEPLINSKI, SR.
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Hendrix, seconded by Mr. Peplinski, Report and Resolution No. 47 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing contract for Emergency Notification System was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 47

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC
SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND
MEANS AUTHORIZING CONTRACT FOR EMERGENCY NOTIFICATION SYSTEM**

WHEREAS, by letter dated January 15, 2013, Robert A. Vandawalker, Director of Emergency Services has recommended a contract be entered into with Everbridge of Glendale, California, for provision of an Emergency Notification System, to replace the old, antiquated Reverse 911 System which is no longer in operation; and

WHEREAS, said Emergency Notification System will alert residents via a recorded telephone message, announcing severe weather, power outages, a crime in progress or other incident; and

WHEREAS, said system will be purchased at a cost of \$45,701.51 under state contract for a two year period, which will be fully funded through a 2011 SHSP Homeland Security Grant; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract for a period of two years with Everbridge, 505 N. Brand Blvd., Suite 700, Glendale, CA 91203 for provision of a Mass Notification System for the Herkimer County E911 Center for the total sum of \$45,701.51, with the terms of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said system shall continue so long as funding is available; 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 Everbridge.

Dated: February 13, 2013.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE
BERNARD PEPLINSKI, SR.
Committee on Public Safety/Emergency Management

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Hendrix, seconded by Mr. Peplinski, Report and Resolution No. 48 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means concerning contract for Electronic Monitoring Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 48

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS CONCERNING CONTRACT FOR ELECTRONIC MONITORING PROGRAM

WHEREAS, by Resolution No. 169 of 2003, an electronic monitoring program was established in the Herkimer County Probation Department and by Resolution No. 201 of 2008 an agreement was entered into with G4S Justice Services, Inc. for all electronic monitoring services, including home detention, alcohol testing and GPS systems; and

WHEREAS, by letter dated January 31, 2013 from Josephine Sohn, Director of Probation, this Legislature is advised that G4S Justice Services, Inc. has been acquired by Sentinel Offender Services, LLC, and requests an extension of said agreement for the period July 1, 2012 through June 30, 2013 under the same terms and conditions; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement for the period July 1, 2012 through June 30, 2013 with Sentinel Offender Services, LLC, A Delaware corporation, with its principal offices at 201 Technology Drive, Irving, CA 92618, for all electronic monitoring services, including home detention, alcohol testing and GPS systems; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewal agreements, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: February 13, 2013.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE
BERNARD PEPLINSKI, SR.
**Committee on Public Safety and
Emergency Management**

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mr. Hendrix, seconded by Mr. Peplinski, Report and Resolution No. 49 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means in connection with receipt of Ignition Interlock Monitoring Device Grant was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 49

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

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

WHEREAS, by letter dated February 4, 2013, from Josephine Sohnn, Probation Director, this Legislature is advised of the request for acceptance of a grant from the State Division of Criminal Justice Services, in the amount of \$11,461.00 for said Program, for the period from October 1, 2012 through September 30, 2013; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by e-signature a contract with the New York State Division of Criminal Justices to receive an Ignition Interlock Device Monitoring Project Grant in the amount of \$11,461.00 for the period from October 1, 2012 through September 30, 2013, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: February 13, 2013.

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE
DENNIS KORCE
BERNARD PEPLINSKI, SR.
**Committee on Public Safety and
Emergency Management**

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mr. Hendrix, seconded by Mr. Shaw, Report and Resolution No. 50 of the Committee on Ways and Means and the Committee on Public Safety and Emergency Management awarding bid for vehicle was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 50

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AWARDED BID FOR VEHICLE MODIFICATION

WHEREAS, by letter dated January 22, 2013, Bernard E. Decker, Budget Officer/Purchasing Agent, has advised that bids were received, opened and read in accordance with law for the provision of a vehicle modification for Herkimer County; and

WHEREAS, after review of the bids it is recommended that the bid be awarded to the only bidder, Sirchie Vehicle Division of Medford, New Jersey in the amount of \$35,089 base bid; and

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

RESOLVED, that the Herkimer County Legislature hereby awards the bid for the provision of a vehicle modification for Herkimer County to Sirchie Vehicle Division, PO Box 789, 612 Gravelly Hollow Road, Medford, New Jersey 18055-0789, in the amount of \$35,089 base bid; and, be it further

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

Dated: February 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

LEONARD R. HENDRIX
BRUCE WEAKLEY
RAYMOND SMITH
ROBERT N. HYDE

DENNIS KORCE
BERNARD PEPLINSKI, SR.
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Smith, seconded by Mr. Russell, Report and Resolution No. 51 of the Committees on Ways and Means and Human Resources requesting legislation authorizing an exemption from the residency requirements of the Office of Herkimer County Public Health director was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 51

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND
THE COMMITTEE ON WAYS AND MEANS REQUESTING LEGISLATION
AUTHORIZING AN EXEMPTION FROM THE RESIDENCY REQUIREMENTS FOR
THE OFFICE HERKIMER COUNTY PUBLIC HEALTH DIRECTOR**

WHEREAS, the position of Public Health Director for Herkimer County has become vacant and a potential candidate for such position resides in an adjoining county to Herkimer County; and

WHEREAS, legislation amending New York State Law to allow a person holding the office of Public Health Director for Herkimer County to reside in Herkimer County or an adjoining county in New York State is required to enable such candidate to be appointed to such position; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby requests that its Assemblymen, Assemblywoman and Senators introduce in the New York State Legislature bills which would expand the residency requirements for the position of Herkimer County Public Health Director to permit the position to be filled with an employee who resides in Herkimer County or an adjoining county in the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblywoman Claudia Tenney and Assemblyman Anthony J. Brindisi.

Dated: February 13, 2013.

RAYMOND SMITH
FREDERICK SHAW, JR.
JEAN E. MANEEN
LEONARD HENDRIX

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY

PATRICK E. RUSSELL
PETER F. MANNO
Committee on Human Resources

BERNARD PEPLINSKI
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Shaw, seconded by Mr. Hyde, Resolution No. 52 of the Committee on Natural Resources concerning Region 6 Open space Advisory Committee was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 52

**RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES CONCERNING
REGION 6 OPEN SPACE ADVISORY COMMITTEE**

WHEREAS, by Resolution No. 206 of 1990 and 278 of 1991 appointments were made for representatives of Herkimer County to the Region 6 Open Space Advisory Committee, pursuant to the provisions of Chapter 146 of the Laws of 1990, which authorized the implementation of the 21st Century Environmental Quality Bond Act and the formation of regional advisory committees with the primary duty of dealing with state land acquisitions; and

WHEREAS, there presently exists a vacancy for Herkimer County on said Committee; now, therefore, be it

RESOLVED, Perry Siver, 472 Gage Road, Newport, NY 13416 is hereby appointed to fill a vacancy as a representative of Herkimer County on the Region 6 Open Space Advisory Committee, to serve at the pleasure of the board, without compensation, but with entitlement to reasonable expenses necessarily incurred with the performance of his duties; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Region 6 of the New York State Department of Environmental Conservation and Perry Siver.

Dated: February 13, 2013.

FREDERICK J. SHAW, JR.
DENNIS KORCE
BERNARD PEPLINSKI, SR.
PETER F. MANNO
ROBERT N. HYDE
JOHN L. BREZINSKI
Committee on Natural Resources

On motion of Mr. Shaw, seconded by Mr. Johnson, Resolution No. 53 of the Committees on County Planning and Development and Ways and Means authorizing agreement with Herkimer County Trail and Trade Association for administration of pass through funding for Snowmobile Trail Maintenance was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 53

RESOLUTION OF THE COMMITTEES ON COUNTY PLANNING AND DEVELOPMENT AND WAYS AND MEANS AUTHORIZING AGREEMENT WITH HERKIMER COUNTY TRAIL AND TRADE ASSOCIATION FOR ADMINISTRATION OF PASS THROUGH FUNDING FOR SNOWMOBILE TRAIL MAINTENANCE

WHEREAS, Herkimer County presently receives funding through the New York State Office of Parks, Recreation and Historic Preservation as the local sponsor of a snowmobile trail development and maintenance program; and

WHEREAS, such snowmobile trail grant and aid funding is distributed by Herkimer County to the Herkimer County Trail and Trade Association which is responsible for maintaining the trails through local snowmobile clubs and associations; and

WHEREAS, grant funds received for the 2013 snowmobile trail fund allotment was \$146,150.00; now, therefore, be it

RESOLVED, the Chairman of this Legislature is authorized to enter into an agreement with the Herkimer County Trail and Trade Association, 218 Barringer Road, Ilion, New York 13357, for it to engage and assist in the development and maintenance of the system of snowmobile trails and a program in relation thereto within the boundaries of Herkimer County, to encourage safety, tourism and utilization, with the amounts received from the State in connection with such snowmobile trail maintenance to be paid to the Association in accordance with the terms of the grant, with the amounts subject to change based on any changes of state aid in connection with the program, and with such payments to be made after the receipt of properly completed vouchers and other necessary documentation as mandated by the State of New York, with the terms and conditions of the contract 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, the Herkimer County Trail and Trade Association and the New York State Office of Parks, Recreation and Historic Preservation.

Dated: February 13, 2013.

BERNARD PEPLINSKI, SR.
RAYMOND SMITH
PATRICK E. RUSSELL
FREDERICK J. SHAW
KURT J. ACKERMAN
RAYMOND JOHNSON
**Committee on County Planning and
Development**

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT ACKERMAN
Committee on Ways and Means

On motion of Mrs. Maneen, seconded by Mr. Shaw, Resolution No. 54 of the Committee on Administration/Veterans' Affairs opposing Governor's Budget Proposal to limit sales tax exemptions by local industrial development agencies was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 54

**RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS'
AFFAIRS OPPOSING GOVERNOR'S BUDGET PROPOSAL TO LIMIT SALES TAX
EXEMPTIONS BY LOCAL INDUSTRIAL DEVELOPMENT AGENCIES**

WHEREAS, local industrial development agencies, including the Herkimer County Industrial Development Agency, have been able to offer sales tax exemptions in connection with economic development projects since they were formed dating as far back as 1969; and

WHEREAS, the ability to offer an exemption from both state and local sales tax in connection with development projects is an important economic incentive and has helped the Herkimer County Industrial Development Agency support projects which have expanded and preserved jobs and spurred new development; and

WHEREAS, the Governor's budget proposal contains a provision which would limit the ability of local industrial development agencies to offer exemptions from any portion of the

state's share of sales tax and change the benefit from being an upfront tax break to a benefit that would be refunded only after application to the state; and

WHEREAS, this proposal is a major departure from prior practice and will interfere with the ability of the Herkimer County Industrial Development Agency to encourage and enhance projects in Herkimer County; now, therefore, be it

RESOLVED, that the Herkimer County Legislature opposes the proposed limitation on the ability of local industrial development agencies to offer sales tax breaks to local projects; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblywoman Claudia Tenney, Assemblyman Anthony J. Brindisi and the New York State Association of Counties.

Dated: February 13, 2013.

JEAN E. MANEEN
BRUCE WEAKLEY
FREDERICK J. SHAW
ROBERT N. HYDE
PETER F. MANNO
RAYMOND JOHNSON
**Committee on Administration/
Veterans Affairs**

On motion of Mr. Smith, seconded by Mr. Hendrix, Resolution No. 55 of the Committees on Human Resources, County Properties and Ways and Means amending Resolution No. 221 of 2012 authorizing sale of Country Manor was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Schrader, Maneen, Johnson, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: Hartman, Rose (2).

Absent: None.

No. 55

**RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES , COUNTY
PROPERTIES AND WAYS & MEANS AMENDING RESOLUTION NO. 221 OF 2012
AUTHORIZING SALE OF COUNTRY MANOR**

WHEREAS, by Resolution No. 221 adopted on September 12, 2012, this Legislature authorized an Asset Purchase Agreement with Advanced Healthcare Management LLC to

purchase the Country Manor premises located on the east side of New York State Route 28 in the Town of Herkimer for a purchase price of \$335,000; and

WHEREAS, that Resolution did not contain a specific recitation that the real and personal property which constitute the Country Manor premises are no longer necessary for public use, although it did recite various public policy reasons to approve the sale of the premises, and although the Legislature had made such a determination prior to the passage of that Resolution; now, therefore, be it

RESOLVED, that Resolution No. 221 adopted on September 12, 2012 is hereby amended to add an additional Whereas Clause as follows:

“WHEREAS, it is the determination of this Legislature that the real and personal property which constitute the Country Manor premises are no longer necessary for public use”; and, be it further

RESOLVED, that Resolution No. 221 adopted on September 12, 2012 is further amended to add an additional Resolved Clause as follows:

“RESOLVED, that the real and personal property which constitute the Country Manor premises are no longer necessary for public use”; and, be it further

RESOLVED, that in all other respects, said Resolution No. 221 of 2012 and the contract which resulted from that Resolution are hereby ratified and confirmed; and, be it further

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

Dated: February 13, 2013.

RAYMOND SMITH
FREDERICK J. SHAW, JR.
JEAN E. MANEEN
LEONARD R. HENDRIX
PATRICK E. RUSSELL
PETER F. MANNO
Committee on Human Resources

DENNIS KORCE
BRUCE WEAKLEY
ROBERT N. HYDE
KURT J. ACKERMAN
RAYMOND JOHNSON
ROBERT J. SCHRADER
Committee on County Properties

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT J. ACKERMAN

Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Hyde, Resolution No. 56 of the Committee on Ways and Means, amending Resolution No. 167 and No. 199 of 2012 approving standard work day retirement reporting for elected and appointed officials was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 56

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 167 AND NO. 199 OF 2012 APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

RESOLVED, that Resolution No. 167 duly adopted by the Herkimer County Legislature on July 11, 2012 which established the standard work days for elected and appointed officials to report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body, as amended by Resolution No. 199 adopted on August 15, 2012 is hereby amended to add the following official:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials							
Robert R. Calli, Jr.	Assistant District Attorney	████	██████	6	8/8/12 – 12/31/12	N	29.70

And, be it further

RESOLVED, that in all other respects, said Resolution No. 167 of 2012, as amended by Resolution No. 199 of 2012 is hereby ratified and confirmed.

Dated: February 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Bono, seconded by Mr. Hyde, Resolution No. 57 in Memoriam to Frederick L. Rockwood, former County Legislator, was handed up; discussion was held, was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

No. 57

IN MEMORIAM

- WHEREAS,** *Frederick L. Rockwood departed this life on January 14, 2013;and*
- WHEREAS,** *Frederick L. Rockwood was an outstanding citizen, devoted husband, father and grandfather; and*
- WHEREAS,** *Frederick L. Rockwood was a proud veteran of World War II and the Korean War, serving his Country in the United States Air Force; and*
- WHEREAS,** *Frederick L. Rockwood was an outstanding man of integrity who served over the years Assessor for the Town of Schuylers, Judge and as a member of the Herkimer County Legislature from 1988 to 1991; and*
- WHEREAS,** *Over the years, Fred gave freely of his time and talents to many other community organizations including serving as past president and member of the East Schuylers Volunteer Fire Department, Past Commander of the VFW Post #8728, a founder of the Schuylers Baseball League and former Boy Scout leader and Eagle Scout Master; and*
- WHEREAS,** *The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED,** *That the County Legislature does hereby express its deepest regrets at the decease of Frederick L. Rockwood and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further*
- RESOLVED,** *that a copy of this Resolution be sent to the Judy Rockwood and that an additional copy be spread upon the minutes of this meeting.*

Dated: February 13, 2013.

On motion of Mr. Hyde, seconded by Mr. Johnson, Resolution No. 58 in Memoriam to James F. Collins, former County Attorney, was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Absent: None.

No. 58

IN MEMORIAM

- WHEREAS,** *James F. Collins departed this life on February 6, 2013*
- WHEREAS,** *James F. (Jim) Collins was an outstanding citizen, devoted husband of 57 years, loving father and grandfather. He was a long time resident of Frankfort, where for many years he maintained a private law practice; and*
- WHEREAS,** *Jim Collins honorably served his country as a staff sergeant with the U.S. Army Air Force during World War II; and*
- WHEREAS** *Jim Collins was an outstanding man of integrity who served his community as Village of Frankfort Attorney and School Board Attorney for the Frankfort and Little Falls School Systems. Jim held a long and respected career with the County of Herkimer, serving as Assistant County Attorney and then as County Attorney from 1980 until his retirement in 1998; and*
- WHEREAS,** *Over the years, Jim Collins gave freely of his time to many other civic organizations, including the Herkimer County Bar Association, the Frankfort Kiwanis Club and was a former Grand Knight and District Deputy with the Iliion Knights of Columbus; and*
- WHEREAS,** *The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED,** *hat the County Legislature does hereby express its deepest regrets at the decease of James F. Collins and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further*
- RESOLVED,** *That a copy of this Resolution be sent to Jane Collins*

and that an additional copy be spread upon the minutes off this meeting.

Dated: February 13, 2013.

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Chairman Bono, Patrick Russell.

At 8:28 p.m. on motion of Mr. Russell, seconded by Mr. Hyde, the Legislature went into closed session for advice of counsel on the proposed VHS/HCCC Project. At 9:30 p.m., on motion of Mr. Peplinski, seconded by Mr. Johnson, the Legislature came out of closed session.

On 9:31 p.m on motion of Mr. Manno, seconded by Mr. Johnson, the Legislature adjourned to Wednesday, March 13, 2013 at 7:30 p.m.