

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

Public Hearing

The Public Hearing on the Assessment Roll for the Herkimer County Sewer District to be used in the year 2013 was called to order at 7:16 p.m. by Frederick J. Shaw, Jr., Chairman of the Committee on Natural Resources. The clerk read the notice of the hearing. Chairman Shaw asked if anyone wished to speak at the hearing. There were no appearances, and the hearing was declared closed at 7:17 p.m.

LEGAL NOTICE

**NOTICE OF COMPLETION OF ASSESSMENT ROLL AND PUBLIC HEARING ON
ASSESSMENT ROLL FOR THE HERKIMER COUNTY SEWER DISTRICT TO BE USED
IN THE YEAR 2014**

NOTICE IS HEREBY GIVEN that the assessment roll for the Herkimer County Sewer District for the year beginning January 1, 2014 has been completed and filed in the Office of the Clerk of the Herkimer County Legislature at the County Office Building in Herkimer, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the said assessment roll to hear and consider any objections which may be made to the Assessment Roll at the Herkimer County Legislators' Chambers in the County Office Building in the Village of Herkimer, New York, on the 13th day of November, 2013 at 7:15 p.m.

Dated: November 5, 2013

By Order of the Herkimer
County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:35 p. m.

Chairman Bono called on Legislator Jean Maneen to lead the Legislature in the Pledge of Allegiance.

Chairman Bono requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County.

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

Present: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Hendrix (1).

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 October 23, 2013. There were none and they were ordered approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individual spoke on the topic listed: Jerry Elthorpe – Herkimer County Fair Association funding for 2014.

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.

No. 338 – A communication was received from the Director of Community Services submitting October activities update. Placed on file.

No. 339 – A communication was received from the Sheriff submitting the monthly report for September. Referred to the Committee on Public Safety/Emergency Management.

No. 340 – A communication was received from the State Department of Transportation concerning implementation of flashing-left turn arrows in the Village of Mohawk. Placed on file.

No. 341 – A communication was received from the Director of the Office for the Aging requesting renewal of contracts for respite services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 342 – A communication was received from the Personnel requesting contract for administration of Health Reimbursement Account Plan. Referred to the Committee on Way and Means.

No. 343 – A communication was received from the Director of Real Property Tax Services requesting renewal of assessment services for Town of Frankfort. Referred to the Committee on Ways and Means.

No. 344 – A communication was received from the Soil and Water Conservation District submitting minutes of 10/8/13. Placed on file.

No. 345 – A communication was received from the Executive Director of the Herkimer County IDA requesting approval of issuance of bonds. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 346 – A communication was received from the State Unified Court System submitting contracts with the County for court cleaning. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 347 – A communication was received from the Director of Emergency Services requesting agreement with State DEC in connection with Dairy Hill Tower site. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 348 – A communication was received from the Commissioner of Social Services requesting additional leave of absence for employee. Referred to the Committee on Ways and Means.

No. 349 – A communication was received from the Town of Webb Publicity Director requesting designation as Tourist Promotion Agency. Referred to the Committee on County Planning and Development.

No. 350 – A communication was received from the Town of Webb Publicity Director requesting a letter of guarantee for the 2014 I Love New York Matching funds. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 351 – A communication was received from the Director of Real Property Tax Services requesting renewal of contract for data collection for Town of Herkimer. Referred to the Committee on Ways and Means.

No. 352 – A communication was received from the Director of the Office for the Aging requesting renewal of contract with dietician. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 353 – A communication was received from the Personnel Officer requesting contract for health insurance stop loss coverage. Referred to the Committee on Ways and Means.

No. 354 – A communication was received from the Oneida-Herkimer Solid Waste Management authority submitting proposed 2014 budget. Placed on file.

No. 355 – A communication was received from the County Treasurer submitting recommendation for selection of vendor for credit card payments. Referred to the Committee on Ways and Means.

No. 356 – A communication was received from the Employment & Training Director requesting temporary staffing adjustment. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 357 – A communication was received from the Recording officer and County Treasurer submitting apportionment of mortgage tax for period ending September 2013. Referred to the Committee on Ways and Means.

No. 358 – A communication was received from the Director of Public Health requesting participation in MIHOPE Strong Start Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 359 – A communication was received from the Budget Officer submitting request for appropriation funds. Referred to the Committee on Ways and Means.

No. 360 – A communication was received from the Budget Officer submitting request to bind insurance coverages. Referred to the Committee on Ways and Means.

No. 361 – A communication was received from the Budget Officer submitting request for preparation of copies of tentative budget. Referred to the Committee on Ways and Means.

No. 362 – A communication was received from the New York State Office of Homes and Community Renewal advising of award of grant. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 363 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 364 – A communication was received from LaBella Associates, P.C. advising of proposed amendment to contract. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 365 – A communication was received from the Sheriff requesting amendment of contract for jail physician. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 366 – A communication was received from the County Administrator requesting approval of part-time/hourly salary schedule for 2014. Referred to the Committee on Ways and Means.

No. 367 – A communication was received from the Commissioners of Elections requesting temporary staffing change. Referred to the Committee on Ways and Means.

No. 368 – A communication was received from the Budget Officer submitting the Tentative Budget for 2014. Referred to the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Mr. Russell reported that budget meetings are continuing and all are invited to attend.

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

For: Ayes (16). Against: None.

Absent: Hendrix (1).

Consent Agenda:

- 256 PUB. SFTY./EMER. MGMT: Approving monthly report of sheriff
- 257 WAYS & MEANS: Authorizing preparation of tentative copies of budget
- 258 WAYS & MEANS: Setting public hearing on tentative budget for 2014
- 259 HUMAN RES., WAYS & MEANS: Authorizing agreement for services of dietician for Office for Aging
- 260 HUMAN RES., WAYS & MEANS: Authorizing contracts for services under Caregiver Support Program
- 261 WAYS & MEANS: Concerning insurance coverages
- 262 WAYS & MEANS: Transferring funds

No. 256

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 September, 2013, 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 September, 2013, which report reflects an average daily population of 85.10 inmates, with an average of 55.23 inmates being boarded out in September, be approved and filed.

Dated: November 13, 2013.

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

No. 257

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING PREPARATION OF TENTATIVE COPIES OF BUDGET**

RESOLVED, that the Budget Officer of the County of Herkimer prepare up to seventy five (75) copies of the tentative budget for the County Legislature; and, be it further

RESOLVED, that the Committee on Ways and Means of this Legislature is hereby designated as the Committee to review the tentative budget pursuant to the provisions of Section 357 of the County Law of the State of New York.

Dated: November 13, 2013.

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

No. 258

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
ACCEPTING TENTATIVE BUDGET AND FIXING TIME AND PLACE FOR PUBLIC
HEARING**

Your Committee on Ways and Means, which was the Committee designated to review the tentative budget for the year 2014 pursuant to the provisions of Section 357 of the County Law, respectfully reports that there was transmitted to the Chairman of said Committee by the Clerk a copy of the tentative budget; now, therefore, be it

RESOLVED, that the County Legislature of the County of Herkimer accepts the tentative budget for the year 2014 as filed, and the Clerk of the Legislature shall cause a notice to be published stating the time and place and purpose of a public hearing on the tentative budget as filed; and, be it further

RESOLVED, that such public hearing shall be held in the Legislative Chambers of the County Office Building in the Village of Herkimer, County of Herkimer, State of New York, on the 4th day of December, 2013 at 7:00 p.m., pursuant to the provisions of Section 359 of the County Law.

Dated: November 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE

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

No. 259

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND
THE COMMITTEE ON WAYS AND MEANS AUTHORIZING AGREEMENT FOR
SERVICES OF DIETICIAN IN THE HERKIMER COUNTY OFFICE FOR THE AGING**

WHEREAS, by Resolution No. 226 adopted on October 3, 2013 an agreement was entered into with Shannon Davis, RD, CDN of Hartwick to provide the state mandated services of a registered dietician to the Office for the Aging Nutrition Program, on a consultant basis; and

WHEREAS, by letter dated October 17, 2013, Kathy L. Fox, Director of the Office for the Aging, requests that said agreement be extended for a period of one year for thirteen hours per week at the rate of \$40.00 per hour, with mileage at the IRS rate; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement for a period of one year with Shannon Davis, RD, CDN, 4340 State Highway 80, Hartwick, New York, to provide services to the Herkimer County Office for the Aging Nutrition Program for thirteen hours per week at the rate of \$40.00 per hour, with mileage at the IRS rate; 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 Shannon Davis.

Dated: November 13, 2013.

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

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

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

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

WHEREAS, by letter dated October 31, 2013, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to renew contracts with Superior Home Health Care, HASCA, Folts Home and RCIL (Resource Center for Independent Living), for the provision of respite services, which is one of the requirements under said Caregiver Support Program; and

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

RESOLVED, that this Legislature hereby approves respite contracts with the agencies listed below under the Title III E, Caregiver Support Program of the Herkimer County Office for the Aging, for the period from January 1, 2014 through December 31, 2014, with services to be provided at the rates as outlined below:

Agency	Rate	Service
Superior Home Health Care	\$19.00/hr.	In-home respite
HASCA	\$21.20/hr.	In-home respite
Folts Homes	\$225/day	Institutional overnight stay
RCIL	\$65.00/day	Adult day care (T. Webb)

and, be it further

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

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

Dated: November 13, 2013.

RAYMOND SMITH
FREDERICK J. SHAW, JR.
JEAN E. MANEEN

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH

LEONARD R. HENDRIX
PATRICK E. RUSSELL
PETER F. MANNO
Committee on Human Resources

BRUCE WEAKLEY
BERNARD PEPLINSKI, SR.
KURT J. ACKERMAN
Committee on Ways and Means

No. 261

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

WHEREAS, by letter dated November 7, 2013 Bernard E. Decker, Budget Officer and Purchasing Agent, has advised this Legislature that Herkimer County's insurance coverages are due to expire on December 9, 2013 and that coverages are being re-quoted with the New York Municipal Insurance Reciprocal (Mang Insurance Agency-broker) and Day, Scarafile and Read, Inc.; and

WHEREAS, by said letter the Budget Officer has requested that the Chairman of this Legislature be authorized to bind insurance coverages commencing December 9, 2013, subject to final approval by the County Legislature; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized and directed on behalf of the County of Herkimer, to bind insurance coverages commencing December 9, 2013, with the New York Municipal Insurance Reciprocal (Mang Insurance Agency-broker) and Day, Scarafile and Read, Inc. and, be it further

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

Dated: November 13, 2013.

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

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

WHEREAS, your Committee on Ways and Means, to which was referred a communication from the Budget officer and Purchasing Agent dated November 7, 2013, submitting a request 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:

\$179.78	From: A67772-462 Aging IIIB, Auto Expense To: A6772C.46200-776 AAA Trans. Prog., Fuel/Gas
\$2,000.00	From: A3140.46100 Probation, Mileage To: A3150.23000, Jail, Motor Vehicles
\$3,000.00	From: A3140.46200-776, Probation, Fuel/Gas To: A3150.23000, Jail, Motor Vehicles
\$3,500.00	From: A3140.462-784, Probation, Repairs To: A3150.23000, Jail, Motor Vehicles
\$19,000.00	From: A2960.44000, Ed. of Handicapped Children – Cont. Svcs. To: A3150.23000, Jail, Motor Vehicles
\$5,000.00	From: A3140.46100, Probation, Mileage To: A6010.22000, Social Svcs. Admin., Computer Equipment
\$12,500.00	From: A6010.10000-001, Social Svcs. Admin., Salaries To: A6010.23000, Social Svcs. Admin., Motor Vehicles
\$12,500.00	From: A6011.10000-001, SNAP, Salaries To: A6010.23000, social Svcs. Admin., Motor Vehicles

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Auditor, Budget Officer, Treasurer, Sheriff, Director of Probation, Commissioner of Social Services and Director of the Office for the Aging.

Dated: November 13, 2013.

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

Chairman Bono then welcomed the 4-H Government Students and asked them to stand and introduce themselves and the school they were from and County Attorney Malone explained the procedure for voice and roll call votes.

On motion of Mr. Hyde, seconded by Mr. Shaw, Report and Resolution No. 263 of the Committee on Natural Resources and the Committee on Ways and Means adopting assessment roll of Herkimer County Sewer District was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None. Absent: Hendrix (1).

No. 263

REPORT AND RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES AND THE COMMITTEE ON WAYS AND MEANS ADOPTING ASSESSMENT ROLL OF HERKIMER COUNTY SEWER DISTRICT

WHEREAS, the Herkimer County Sewer District has prepared and submitted an assessment roll pursuant to Section 271 of the County Law; and

WHEREAS, the Herkimer County Budget Officer has transmitted the said assessment roll with the tentative budget of the Herkimer County Sewer District for the year 2014 to the Clerk of the Herkimer County Legislature; and

WHEREAS, by Resolution No. 232 for 2013 the County Legislature of the County of Herkimer has provided for a public hearing on the said Sewer District Assessment Roll for November 13, 2013; and

WHEREAS, said public hearing has now been held pursuant to said notice; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby affirms and adopts the Assessment Roll to be used in the year 2014 as submitted by the Herkimer County Sewer District pursuant to Section 271 of the County Law;

2. That there shall be, and hereby is, levied and assessed the sum apportioned to each such lot or parcel of land within the boundaries of said Herkimer County Sewer District, at the time and in the manner provided by law for the levy of state, county and town taxes;

3. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer and Herkimer County Sewer District.

Dated: November 13, 2013.

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

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. Weakley, Report and Resolution No. 264 of the Committee on Ways and Means authorizing contract with the Town of Herkimer for the County to provide Data Collection Services was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 264

**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 Resolution No. 371 of 2006 this Legislature approved a contract with the Town of Herkimer whereby the County would provide data collection to the Town of Herkimer for a period of one year for the sums as outlined in said Resolution, which resolution was amended and extended for additional one year periods; and

WHEREAS, by letter dated October 24, 2013, Beth Sadlon, director of the Real Property Tax Service Agency, has requested said contract be extended for an additional one year period; 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 for the period November 20, 2013 through November 20, 2014 on the number of parcels to be designated by the Town for the sum of \$10.00 per parcel per visit for Agricultural, Residential, Vacant and Public Service parcels; a cost of \$32.00 per parcel per visit for Commercial, Recreation, Community Service, Industrial and Forest and 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.

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, 2014, 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: November 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. Shaw, seconded by Mr. Russell, Report and Resolution No. 265 of the Committee on Ways and Means extending contract with the Town of Frankfort to provide assessment services to the Town was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 265

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
EXTENDING CONTRACT WITH THE TOWN OF FRANKFORT TO PROVIDE
ASSESSMENT SERVICES TO THE TOWN**

WHEREAS, this Legislature has authorized by resolution, a contract with the Town of Frankfort, whereby the County would provide assessment services to the Town for the sum of \$9.00 for each parcel on the final assessment roll of the Town; and

WHEREAS, by letter dated October 30, 2013, Beth Sadlon, Director of the Real Property Tax Service Agency, has requested approval of extension of the contract to provide assessment services to the Town of Frankfort through December 31, 2014; 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 Frankfort for the County of Herkimer to provide said assessment services to the Town; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an extension of the agreement to provide assessment services to the Town of Frankfort through December 31, 2014, for the sum of \$9.00 for each parcel on the final assessment roll of the town, with the final form of said agreement 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 Town of Frankfort.

Dated: November 13, 2013.

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

On motion of Mr. Hyde , seconded by Mr. Johnson, Report and Resolution No. 266 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means authorizing a contract with the New York State of Court Administration to provide cleaning and minor repairs of court facilities was handed up; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 266

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND WAYS AND MEANS AUTHORIZING A CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE CLEANING AND MINOR REPAIRS OF COURT FACILITIES

WHEREAS, the Unified Court Budget Bill (Chapter 966 of the Laws of 1976) provided that the State of New York assume the cost of court operations; and

WHEREAS, Chapter 686 of the Laws of 1996 requires the State of New York to contract with political subdivisions of the State for the cleaning of court facilities, as well as minor and emergency repairs thereof; and

WHEREAS, by letter dated October 25, 2013 the State of New York Unified Court System has requested that an agreement be entered into between the Unified Court System and the County of Herkimer from April 1, 2013 for a maximum of five years for said cleaning of court facilities; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute an agreement with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum of five years beginning April 1, 2013 through March 31, 2018, pursuant to the terms of said agreement prepared and submitted by the New York State Unified Court System; and, be it further

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

Dated: November 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, SR.
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Hyde, Report and Resolution No. 267 of the Committee on Ways and means concerning Stop Loss Coverage was handed up; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 267

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
CONCERNING STOP LOSS COVERAGE FOR HEALTH INSURANCE**

WHEREAS, by letter dated October 28, 2013 from Steven R. Billings, Personnel Officer, this Legislature is advised that your Committees have determined that stop-loss insurance coverage for the County's minimum premium health insurance plans for 2014 would best be provided by Excellus Health Plan, Inc.; now, therefore, be it

RESOLVED, that a contract be entered into with Excellus Health Plan, Inc., Utica Business Park, 12 Rhoads Drive, Utica, NY 13502, for health insurance stop loss coverage for the County of Herkimer for the period January 1, 2014 through December 31, 2014 at a quoted annual premium of \$26.69 per participant, with an annual deductible of \$200,000; and, be it further

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

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

Dated: November 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. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 268 of the Committee on Ways and Means concerning Health Reimbursement Account Plan was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 268

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
CONCERNING SERVICES UNDER HEALTH REIMBURSEMENT ACCOUNT PLAN**

WHEREAS, by letter dated October 24, 2013, Steven R. Billings, Personnel Officer, advises that it is the recommendation of your Committee that a contract for the year 2014 be entered into with Benefit Resources, Inc. for administration of a Health Reimbursement Account Plan under the Internal Revenue Code Section 105(h); and

WHEREAS, the Health Reimbursement Account is available to county employees that opt for health insurance under Excellus-Healthy Choices Plan and can be used to reimburse a portion of employee's out-of-pocket medical expenses; now, therefore, be it

RESOLVED, that a contract be entered into with Benefit Resources, Inc., 2320 Brighton-Henrietta Towline Road, Rochester, NY 14623, for the January 1, 2014 through December 31, 2015 to provide services in the area of administration of a Health Reimbursement Account Plan under the Internal Revenue Code Section 105(h), at a cost of \$3.50 per month per participant, with a compliance administration fee of \$475.00, with the terms and conditions of said contract to be subject to the approval of the County Attorney; and, be it further

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

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

Dated: November 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. Russell, seconded by Mr. Peplinski, Report and Resolution No. 269 of the Committee on Ways and Means apportioning mortgage tax was handed up; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Hendrix (1).

No. 269

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
APPORTIONING MORTGAGE TAX**

Your Committee on Ways and Means, to which was referred the report of the Recording Officer and County Treasurer showing the amounts received from the mortgage taxes, respectfully reports that we have examined the report containing the list of mortgages as kept by the Herkimer County Clerk, and herewith submit the following report showing the apportionment to the several towns, villages and the City in the County. Your Committee recommends that the Herkimer County Treasurer be authorized to draw warrants payable to the supervisors of the several towns and to the City of Little Falls, and to the treasurers of the incorporated villages in an amount apportioned as indicated on the tabulated statement recommended by the Committee herewith, and your Committee offers the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to draw warrants payable to the Supervisors of the several towns in Herkimer County and to the Treasurer of the City of Little Falls and the Treasurers of the incorporated villages in the County of Herkimer entitled to a portion thereof, in the amounts of mortgage taxes apportioned respectively, and that a certified copy of the Resolution be served by the Clerk of this Legislature on the Herkimer County Treasurer.

Dated: November 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. Hyde, seconded by Mr. Ackerman, Report and Resolution No. 270 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means amending Resolution No. 142 of 2013 appointing jail physician was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 270

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AMENDING RESOLUTION NO. 142 OF 2013 APPOINTING JAIL PHYSICIAN

WHEREAS, by Resolution No. 142 adopted on May 15, 2013, this Legislature appointed Dr. Russell Zelman, MD, of Little Falls, New York, to serve as jail physician for the Herkimer

County Correctional Facility and entered into a contract with Dr. Zelman on a month to month basis at the rate of \$2,000 per month; and

WHEREAS, by letter dated November 8, 2013, Christopher P. Farber, Herkimer County Sheriff, has advised that Dr. Zelman has requested his compensation be changed to “ up to” \$2,000.00 per month; now, therefore, be it

RESOLVED, that Resolution No. 142 adopted on May 15, 2013, is hereby amended in the Second Resolved Clause to include the rate of “up to” \$2,000; and, be it further

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

Dated: November 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, SR.
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Shaw, seconded by Mr. Johnson, Report and Resolution No. 271 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing acceptance of grant from the NYS Office of Community Renewal totaling \$600,000 to establish a Rehabilitation and Replacement Manufactured Housing Program for was handed up; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 271

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING ACCEPTANCE OF GRANT FROM THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL TOTALING \$600,000 TO ESTABLISH A REHABILITATION AND REPLACEMENT MANUFACTURED HOUSING PROGRAM FOR LOW TO MODERATE INCOME HOUSEHOLDS

WHEREAS, by letter September 27, 2013, from the Office of Community Renewal this Legislature is advised of an award of a grant totaling \$600,000 from the State of New York Office of Community Renewal; and

WHEREAS, this Community Development Block Grant will provide funding assistance to establish a Rehabilitation and Replacement Program of manufactured housing units for twenty low to moderate income households in Herkimer County; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is authorized to execute a grant agreement, subject to the approval of the Herkimer County Attorney, with the Office of Community Renewal in connection with the receipt of a Community Development Block Grant in the total amount of \$600,000 which grant will be used to establish a Rehabilitation and Replacement Program of manufactured housing units for twenty low to moderate income households in Herkimer County; 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 Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: November 13, 2013.

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

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

On motion of Mr. Peplinski, seconded by Mr. Johnson, Report and Resolution No. 272 of the Committee on Public Safety/Emergency Management and the Committee on Ways and means approving agreement in connection with Communication System Tower Site was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 272

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC
SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND**

MEANS APPROVING AGREEMENT IN CONNECTION WITH COMMUNICATION SYSTEM TOWER SITE

WHEREAS, by letter dated October 29, 2013 from Robert Vandawalker, Director of Emergency Services, this Legislature is advised of a request to enter into an agreement with the New York State Department of Environmental Conservation (NYSDEC), which would allow the NYSDEC to install certain equipment on the Dairy Hill Tower site premises owned by the County, to improve public safety and other duties of the NYSDEC; and

WHEREAS, said letter further advises that said agreement would help Herkimer County meet goals as set forth by the Federal and State government in connection with grant structure for Interoperability; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized into an agreement with the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York, which would allow the NYSDEC to install certain equipment on the Dairy Hill Tower site premises owned by the County, to improve public safety and other duties of the NYSDEC, pursuant to terms and conditions of the Agreement 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, County Attorney, Director of Emergency Services and the New York State Department of Environmental Conservation.

Dated: November 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, SR.
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 273 of the Committee on Ways and Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 273

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

WHEREAS, by Resolution No. 253 of 2012 this Legislature authorized a one year of absence be granted to Patricia Goodman, commencing November 15, 2012 from her position as Licensed Practical Nurse, to enable her to continue in the position of Superintendent of the Country Manor; and

WHEREAS, by letter dated October 28, 2013, Timothy Seymour, Commissioner of Social Services, has advised that said employee has requested an additional year's leave of absence from her position as Licensed Practical Nurse, which request must be approved by the Legislature pursuant to Civil Service rules; now, therefore, be it

RESOLVED, that an additional one year leave of absence be granted to Patricia Goodman, commencing November 15, 2013, from her position as Licensed Practical Nurse, which will enable her to continue in the position of Superintendent of Country Manor; 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 and Patricia Goodman.

Dated: November 13, 2013.

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

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 274 of the Committee on County Planning and Development authorizing application for matching funds under the New York State Tourist Promotion Act was handed up; was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 274

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY
PLANNING AND DEVELOPMENT AUTHORIZING APPLICATION FOR**

MATCHING FUNDS UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

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

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

WHEREAS, the Town of Webb has contacted your Committee by communication dated October 22, 2013 and requested that it be designated by the Herkimer County Legislature as a tourist promotion agency within the meaning of the New York State Tourist Promotion Act for the year 2014; and

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

RESOLVED:

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

2. That the Herkimer County Legislature hereby authorizes the Town of Webb to make application for and to receive matching funds under the New York State Tourist Promotion Act for the calendar year 2014;

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

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

Dated: November 13, 2013.

BERNARD PEPLINSKI, SR.

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

On motion of Mr. Peplinski, seconded by Mr. Shaw, Report and Resolution No. 275 of the Committee on County Planning and Development and the Committee on Ways and Means concerning guarantee of 2014 tourism matching funds was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 275

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS CONCERNING GUARANTEE OF 2014 TOURISM MATCHING FUNDS

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

WHEREAS, by letter dated October 22, 2013 from the Town of Webb Tourism/Publicity Director, this Legislature is advised of a request to authorize the Chairman of this Legislature to send a letter to the New York State Division of Tourism "I Love NY" Campaign to guarantee Herkimer County's 2014 matching funds; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to send a letter to the New York State Division of Tourist "I Love NY" Campaign to guarantee Herkimer County's 2014 matching funds; and, be it further

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

Dated: November 13, 2013.

BERNARD PEPLINSKI, SR.
RAYMOND SMITH
PATRICK E. RUSSELL
FREDERICK J. SHAW, JR.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY

KURT J. ACKERMAN
RAYMOND JOHNSON
Committee on County Planning
and Development

BERNARD PEPLINSKI, SR.
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Shaw, seconded by Mr. Johnson, Report and Resolution No. 276 of the Committee on Ways and Means and the Committee on Natural Resources appropriating funds in the Herkimer County Sewer District was handed up; was voted on and adopted by roll call vote:

For: Hartman, Schrader, Maneen, Johnson, Hendrix, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Hendrix (1).

No. 276

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING &
DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING
TEMPORARY STAFFING CHANGE IN EMPLOYMENT & TRAINING
ADMINISTRATION

WHEREAS, by letter dated October 24, 2013, Karin Zipko, Director of Employment and Training, has requested a temporary staffing change for training purposes; and

WHEREAS, your Committees have considered said request and recommend said temporary change; now, therefore, be it

RESOLVED, that a temporary part-time Senior Clerk position in the Employment & Training department be established for up to 19 ½ hours per week, at the hourly rate of \$17.57 per hour for the period of November 14, 2013 through December 28, 2013; and, be it further

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

Dated: November 13, 2013.

PATRICK E. RUSSELL
DENNIS KORCE
RAYMOND SMITH
BRUCE WEAKLEY
BERNARD PEPLINSKI, SR.

BERNARD PEPLINSKI, SR.
RAYMOND SMITH
PATRICK E. RUSSELL
FREDERICK SHAW, JR.
KURT J. ACKERMAN

KURT J. ACKERMAN
Committee on Ways and Means

RAYMOND JOHNSON
Committee on County Planning
and Development

On motion of Mr. Russell, seconded by Mr. Manno, Report and Resolution No. 277 of the Committee on Ways and Means authorizing vender for credit card payment for use in county offices was handed up; Mr. Russell offered an amended, seconded by Mr. Weakley, to delete “county departments” in the First Resolved Clause and replace with “Public Health Nursing Service, Mental Health Services, County Clerk’s Office and County Treasurer’s Department”; the amendment was approved by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

The resolution as amended was voted on and adopted by voice vote:

For: Ayes (15).

Against: Smith (1).

Absent: Hendrix (1).

No. 277

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING VENDOR FOR CREDIT CARD PAYMENTS FOR USE IN COUNTY
OFFICES

WHEREAS, by letter dated November 4, 2013, Kimberlee A. Enea, County Treasurer, has advised that four proposals were received for the acceptance of credit card payments for use in Herkimer County offices; and

WHEREAS, after thorough review of the four options, it is the recommendation of the County Treasurer that M & T Bank be selected as the vendor for processing; and

WHEREAS, it is the recommendation of your Committee that the proposal of M & T Bank be accepted; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer is hereby authorized to execute an agreement with M & T Bank, 319 North Main Street, Herkimer, New York, 13350 to provide comprehensive services for credit card payments for use by county departments, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: November 13, 2013.
Amended: November 13, 2013.

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

Amendment: In the First Resolved Clause delete
“county departments” and replace with
Public Health Nursing Service, Mental
Health Services, County Clerk’s Office
and County Treasurer’s Department.

On motion of Mr. Shaw, seconded by Mr. Peplinski, Report and Resolution No. 278 of
the Committees on Ways and Means and Human Resources authorizing participation in Mother
and Infant Home Visiting Program Evaluation Strong Start was handed up; was voted on and
adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 278

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS AUTHORIZING PARTICIPATION IN MOTHER AND
INFANT HOME VISITING PROGRAM EVALUATION STRONG START**

WHEREAS, by letter dated October 31, 2013, Christina Cain, Director of Public Health,
has recommended the Public Health Nursing Service with the Healthy Families Grant enter into
an agreement to participate in the Mother and Infant Home Visiting Program Evaluation Strong
Start (MIHOPE-Strong Start); and

WHEREAS, MIHOPE-Strong Start will evaluate data and contribute to a national
discussion on how Healthy Families America and Nurse-Family Partnership programs may
improve birth and health related outcomes for women who are enrolled in Medicaid, Children’s
Health Insurance Program and other health insurance; and

WHEREAS, through participation in said program Herkimer County will receive a total amount of \$19,000 upon reaching the target enrollment date of September 30, 2015, with installment payments to be made at various points during the survey; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement to participate in the Mother and Infant Home Visiting Program Evaluation Strong Start Program, which will inform future services for children and families, contribute to a national discussion that could change Medicaid, CHIP and other health insurance and earn flexible funds for Public Health Nursing Service programs; and, be it further

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

Dated: November 13, 2013.

RAYMOND SMITH
FREDERICK J. SHAW, JR.
JEAN E. MANEEN
LEONARD R. 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. Peplinski, seconded by Mr. Johnson, Report and Resolution No. 279 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means appropriating funds from Contingency Fund was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Hendrix (1).
No. 279

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AND
THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT
APPROPRIATING FUNDS FROM CONTINGENCY FUND**

WHEREAS, by letter dated November 7, 2013 from the Budget Officer/Purchasing Agent this Legislature is advised that there is sufficient funding is available for the following appropriation from the 2013 Contingency Fund; now, therefore be it

RESOLVED, that the sum of \$343,600.00 is hereby appropriated from A1990.46000, Contingency Fund – Miscellaneous Expense, to A3170.44000, Correctional Institution – Contracted Services; and, be it further

RESOLVED, that the Herkimer County Treasurer is hereby authorized and directed to transfer the said sums to the said accounts; and, be it further

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

Dated: November 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. Russell, seconded by Mr. Johnson, Report and Resolution No. 280 of the Committee on Ways and Means adjusting wages for hourly employees was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Hendrix (1).

No. 280

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

WHEREAS, by letter dated November 8, 2013 from James W. Wallace, Jr., County Administrator, this Legislature is advised that adjustments must be made to the salaries for the year 2014 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 are, established for the year 2013 as follows:

<u>Grade</u>	<u>Hourly Wage 2014</u>
1	7.00
2	7.25
3	8.00
4	8.25
5	8.50
6	8.75
7	9.19
8	9.38
9	9.56
10	10.56
11	10.88
12	11.10
13	11.32

and, be it further

RESOLVED, that the following rates are hereby established for the following positions for the year 2013:

<u>Title</u>	<u>2014 Rate</u>
Part-time Motor Vehicle Clerk (Old Forge)	\$13.44/hr
Part-time Photocopy Machine Operator	\$13.45/hr.
Full-time Data Collectors	\$12.17/hr.
Part-time Data Collectors	\$11.03/hr.
Court Attendants (per diem)	\$62.84 per day
Part-time Building Maintenance Worker (Jail)	\$9.63/hr.
Part-time RN (6031)	\$21.40/hr.
Part-time Senior Telecommunicator	\$14.76/hr.
Part-time Public Safety Telecommunicator (E-911)	\$12.80/hr
Part-time Typist (A1420)	\$13.56/hr.
Part-time Account Clerk (A4010)	\$13.42/hr.
Part-time Alcohol Abuse Counselor (Mental Health)	\$25.00/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.
Part-time Registered Professional Nurse	\$20.54/hr.
Part-time Community Health Nurse (Public Health)	\$20.37/hr.
Part-time Community Health Nurse (CSEA eligible)	\$21.40/hr.

Dated: November 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. Hyde, seconded by Mr. Shaw, Report and Resolution No. 281 of the Committees on County Planning and Development and Ways and Means approving the issuance of certain obligations by Herkimer County Industrial Development Agency to finance a certain manufacturing project for Burrows Paper Corporation was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Hendrix (1).

No. 281

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A CERTAIN MANUFACTURING PROJECT FOR BURROWS PAPER CORPORATION

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

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the “Enabling Act”) and Chapter 410 of the Laws of 1970 and Chapter 158 of the Laws of 1981 of the State of New York, as amended, constituting Section 898 of said General Municipal Law (collectively, with the Enabling Act, the “Act”), the County Legislature of Herkimer County, New York (the “County Legislature”) has heretofore appointed the Chairman and members of the Herkimer County Industrial Development Agency (the “Issuer”) and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Act to issue its industrial development revenue bonds to finance the cost of the acquisition, construction and installation of one or more “projects” (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in September, 2013, Burrows Paper Corporation (the “Company”) presented an application (the “Application”) to the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) consisting of the following: (A) the purchase and installation of equipment including a fourdrinier, enclosed hood, press frames, moisturizer, process monitoring system, retention control and quality control systems, precision slitter, and humidified slitting room (the “Equipment”) at either of the Company’s facilities located at 75 Riverside Industrial Park or 489 W. Main Street, in the City of Little Falls, Herkimer County, New York (collectively, the “Parcel”) (the interest created by a license agreement in the Parcel being the “Land,” and collectively with the Equipment, the

“Project Facility”); (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay all or a portion of the cost of undertaking the Project, together with necessary incidental costs in connection therewith, said aggregate principal amount presently estimated to be up to up to \$7,000,000 (the “Obligations”); (C) the payment of a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; (D) the granting of certain other “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including (1) potential exemptions from certain sales and use taxes and (2) potential exemption from certain mortgage recording taxes (collectively with the Obligations, the “Financial Assistance”); and (E) the sale of the Equipment to the Company or such other person as may be designated by the Company and agreed upon by the Issuer; and

WHEREAS, the County Legislature has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the cost of acquiring, constructing and installing the Project Facility, together with incidental costs in connection therewith, which principal amount is presently estimated to be approximately \$7,000,000; and

WHEREAS, the Company has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 144(a) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, the issuance of the Obligations shall be approved by this County Legislature after the Issuer has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, pursuant to Section 147(f) of the Code, on November 7, 2013, the Issuer held a public hearing to consider both the issuance of the proposed Obligations and the nature and location of the proposed Project, and a report of said public hearing has been made available to each member of this County Legislature prior to this meeting; and

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WHEREAS, pursuant to Section 147(f) of the Code, the County Legislature desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes; and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Obligations nor any other obligation of the Issuer shall be a debt of Herkimer County, New York, nor shall Herkimer County, New York be liable thereon;

NOW, THEREFORE, BE IT RESOLVED by the County Legislature of Herkimer County, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 144(a) of the Code, the County Legislature, as the elected legislative body of Herkimer County, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the

premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Herkimer County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Herkimer County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

Dated: November 13, 2013.

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

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

On motion of Mrs. Maneen, seconded by Mr. Russell, Report and Resolution No. 282 of the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means amending Resolution No. 153 of 2013 authorizing temporary staffing changes in County Board of Elections was handed up; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Maneen, Johnson, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Against: None.

Absent: Hendrix (1).

No. 282

**REPORT AND RESOLUTION OF THE COMMITTEE ON
ADMINISTRATION/VETERANS' AFFAIRS AND THE COMMITTEE ON WAYS AND
MEANS AMENDING RESOLUTION NO. 153 OF 2013 AUTHORIZING TEMPORARY
STAFFING CHANGES IN COUNTY BOARD OF ELECTIONS**

WHEREAS, by Resolution No. 153 adopted on June 12, 2013, this Legislature authorized two temporary part-time positions be established in the Herkimer County Board of Elections; and

WHEREAS, by letter dated October 24, 2013, the Commissioners of Elections, have requested said resolution be amended to adjust the rate and time period for one of said temporary part-time positions; now, therefore, be it

RESOLVED, that Resolution No. 153 adopted on June 12, 2013 is hereby amended to delete the Second Resolved Clause and replace with the following:

“RESOLVED, that a temporary part-time position in the Herkimer County Board of Elections be established for up to 19 ½ hours per week at the rate of \$8.00 per hour for the period November 11, 2013 through November 22, 2013, with said hourly rate to increase to \$14.67 per hour for up to 19 ½ hours per week from November 25, 2013 to January 17, 2014, and with said position to terminate at the close of business on January 17, 2014; and, be it further”

RESOLVED, that in all other respects, said Report and Resolution No. 153 is 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, Personnel Officer and Commissioners of Elections.

Dated: November 13, 2013.

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

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

On motion of Mr. Shaw, seconded by Mr. Peplinski, Resolution No. 283 of the Committee on Administration/Veterans' Affairs to combine the 2014 Federal and State/Local Primaries was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 283

RESOLUTION OF THE COMMITTEE ON ADMINISTRATION/VETERANS' AFFAIRS TO COMBINE THE 2014 FEDERAL AND STATE/LOCAL PRIMARIES

WHEREAS, the MOVE (Military and Overseas Voter Empowerment) Act adopted in 2009 requires federal military absentee ballots to be sent out forty-five (45) days prior to the General Election; and

WHEREAS, New York State's September primary date for state and local offices does not allow sufficient time to comply with the federal mandate, therefore requiring a separate earlier date for the federal primary; and

WHEREAS, to eliminate the substantial financial burden of an additional primary election, it is in the best interest of Herkimer County taxpayers to combine the state/local primary election with the federal primary election; now, therefore, be it

RESOLVED, that the Herkimer County Legislature urges the Governor and the New York State Legislature to combine the federal and state/local primaries in 2014 and all future years for a substantial savings of the tax dollars of New York State residents; and, be it further

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

Dated: November 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. Russell, seconded by Mr. Peplinski, Resolution No. 284 of the Committee on Ways and Means adopting Salary Schedules for the 2014 was handed up; discussion was held; Mrs. Rose offered an amendment, seconded by Mr. Hartman, to divide the Resolution and vote on Salary Schedules No. 3, 4 and 5 separately; the motion was defeated by the following roll call vote:

For: Hartman, Rose, Brezinski (3).

Against: Schrader, Maneen, Johnson, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (13).

The resolution was then voted on and adopted by roll call vote:

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

Against: Hartman, Rose (2).

Absent: Hendrix (1).

No. 284

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING SALARY SCHEDULES FOR THE YEAR 2014

Your Committee on Ways and means respectfully reports the following salary schedule for the year 2014:

We recommend that the county officers and employees be paid equal bi-weekly installments on Thursday, or as near thereto as holidays and other conditions permit, pursuant to the Rules and Regulations of the Herkimer County Legislature and the Herkimer County Personnel Civil Service Rules. These salary schedules reflect salaries for personnel as follows:

Salary Schedule No. 1 -	2014 Legislators and Department Heads
Salary Schedule No.2 -	2014 Officers and Non-Union
Salary Schedule No. 3 -	2014 CSEA
Salary Schedule No. 4 -	2014 Highway
Salary Schedule No. 5 -	2014 Deputy Sheriffs

now, therefore, be it

RESOLVED, that the recommendations of the Committee on Ways and Means as set forth above be, and they hereby are adopted; 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: November 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. Russell, seconded by Mr. Korce, Resolution No. 285 of the Committee on Ways and Means establishing annual salaries of some elected officials and certain county officers appointed for a fixed term during their term of office and setting date for public hearing was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 285

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ESTABLISHING ANNUAL SALARIES OF SOME ELECTED OFFICIALS AND CERTAIN COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE AND SETTING DATE FOR PUBLIC HEARING

We, the Committee on Ways and Means of the Herkimer County Legislature, are causing to be prepared and will present Introductory Local Law No. 1 for the year 2013 to establish annual salaries of some elected officials and certain county officers appointed for a fixed term during their term of office, and setting the date for the statutory public hearing thereon, and offer the following Resolution:

RESOLVED:

1. That a proposed local law establishing salaries of some elected officials and certain county officers will be prepared by this Committee, and that a public hearing will be held on the proposed local law at a meeting of the Herkimer County Legislature, on the 11th day of December, 2013 at 7:00 p.m. in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York;
2. That this County Legislature designates your Committee on Ways and Means as the Committee to hold the public hearing on the adoption of said act;
3. That at least five days prior to such public hearing the clerk of this Legislature shall post a notice of such hearing upon the bulletin board in the Courthouse and cause to be published said notice at least once in the Little Falls Times and the Herkimer Telegram;
4. That the Clerk of this Legislature shall place a copy of said act on the desks of the members of this County Legislature at least seven calendar days, exclusive of Sunday, prior to its final adoption;
5. That if said local law be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one in the Office of the Secretary of State and publish said local law as required by law.

Dated: November 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. Weakley, seconded by Mr. Russell, Resolution No. 286 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing additional architectural services in connection with New County Correctional Facility was handed up; discussion was held; Mrs. Rose offered an amendment, seconded by Mr. Hartman, to include in the First Resolved “for an amount not to exceed \$15,000”. The amendment was defeated by voice vote:

For: Hartman Rose (2).

Against: (14). Absent: Hendrix (1).

The resolution was then voted on and adopted by roll call vote:

For: Maneen, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Russell, Shaw, Weakley (10).

Against: Hartman, Rose, Schrader, Johnson, Brezinski, Korce (6).

Absent: Hendrix (1).

No. 286

RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING ADDITIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH NEW COUNTY CORRECTIONAL FACILITY

WHEREAS, this County is presently engaged in legal proceedings in Herkimer County Supreme Court against the Village of Herkimer in connection with the denial by the Village of Herkimer for water and sewer connection and an amendment of the Village’s zoning ordinance prohibiting construction of a new correctional facility on the site selected by the County which previously had no such prohibition; and

WHEREAS, the Appellate Division, Fourth Department, has ordered that the parties engage in a “balancing test,” whereby the interests of the County and the interests of the Village would be assessed in connection with whether or not the County is exempt from the Village’s zoning ordinance; and

WHEREAS, in connection with those proceedings, it will be necessary to use the services of the County’s architect, LaBella Associates, P.C., to prepare for and carry out the above process; now, therefore, be it

RESOLVED, that a contract with LaBella Associates, P.C. is hereby authorized for the provision of all necessary support services in connection with above litigation at rates which are attached to this resolution; and, be it further

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

Dated; November 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, SR.
KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Ackerman, seconded by Mr. Smith, Resolution No. 287 of the Committee on Ways and Means authorizing contract with the City of Little Falls to provide assessment services was handed up; voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Hendrix (1).

No. 287

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT WITH THE CITY OF LITTLE FALLS TO PROVIDE ASSESSMENT SERVICES TO THE CITY

WHEREAS, the City of Little Falls has expressed an interest in entering into a contract between the County of Herkimer and the City of Little Falls, for a term of four years, whereby the County would provide assessment services to the City for the sum of \$10.00 for each parcel on the final assessment roll for the City; and

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

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement to provide assessment services to the City of Little Falls for a period of four years, commencing December 1, 2013, with either party to have the right to cancel the agreement after two years, upon giving a written notice of at least ninety days in advance, for the sum of \$10.00

for each parcel on the final assessment roll of the City, and with the final form of said agreement 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 City of Little Falls.

Dated: November 13, 2013.

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

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had comments: Mr. Hartman, Mrs. Rose, Mr. Smith, Mr. Russell, Mr. Brezinski.

At 8:25 p.m. on motion of Mr. Manno, seconded by Mr. Shaw, the Legislature adjourned to Wednesday, December 11, 2013 at 7:30 p.m., with a public hearing on Introductory Local Law No. 1 at 7:00 p.m. A public hearing on the 2014 Herkimer County Budget will be held on December 4, 2013 at 7:00 p.m.