

MINUTES
Herkimer County Legislature
First Quarter – Second Day
Wednesday, February 15, 2012
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 Legislator Robert Hyde, 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, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (16).

Absent: Manno (1).

Chairman Bono stated that before the session continued he would like to recognize the members of the Legislature who had served our Country in the various military services: Legislator Raymond Smith, who served with the United States Army, 504 Signal Battalion, from 1953 to 1955; Legislator Robert Hyde who served in the U.S. Navy from 1960 to 1964; Legislator John Brezinski who served with the 107th Military Police of Utica, New York.

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 18, 2012. There were no objections and the minutes were approved.

Chairman Bono dispensed with the regular session to allow for a presentation by Jay Ewanyk, County Highway Superintendent. Mr. Ewanyk gave an overview and presented a handout of the 2011 Capital Construction Projects completed which included Pine Grove Road, Murphy Road, Lighthall Road, Travis Road, Chyle Road and Hogsback Road. Mr. Ewanyk also gave information on the many FEMA Projects undertaken due to the flooding events of 2011.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individuals spoke on the following subjects: Christine Shahin, Newport: Environment; George Demeree: Jail; Christine Jackson: thoughts.

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. 35 – A communication was received from the Sheriff submitting the monthly report for December, 2011. Referred to the Committee on Public Safety/Emergency Management.

No. 36 – A communication was received from the Director of Community Services submitting the January activities update. Ordered filed.

No. 37 – A communication was received from the Director of Community Services submitting request for contracts with various agencies, increases for contracted consultants and payment of malpractice insurance for psychiatrist. Referred to the Committee on Human Resources and Ways and Means.

No. 38 – A communication was received from Commissioner of Social Services requesting agreements for private duty nursing and personal care aid services for eligible recipients. Referred to the Committee on Human Resources.

No. 39 – A communication was received from the Budget Officer submitting request for contract with Unified Court system for court cleaning and minor repairs. Referred to the Committee on Ways and Means.

No. 40 – A communication was received from the Personnel Officer submitting 2011 Annual Report of the former Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways and Means.

No. 41 – A communication was received from the Personnel Officer submitting the 2011 Annual Report of the Standalone Workers' Compensation Plan. Referred to the Committee on Ways and Means. Referred to the Committee on Ways and Means.

No. 42 – A communication was received from the Department of State acknowledging receipt and filing of Local Law No. 1 for 2012. Ordered filed.

No. 43 – A communication was received from the Herkimer County Historical Society expressing appreciation for the county's allocation.

No. 44 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting update on Recycle One and Done. Ordered filed.

No. 45 – A communication was received from the Soil and Water Conservation District submitting minutes of 1/10/12. Ordered filed.

No. 46 – A communication was received from Assemblyman Butler acknowledging receipt of a resolution. Ordered filed.

No. 47 – A communication was received from the County Auditor submitting a corrected tax application approved for January. Ordered filed.

No. 48 – A communication was received from the Commissioner of Social Services requesting certain changes to the list of title required to file financial disclosure forms under the Ethics Law. Referred to the Committee on Ways and Means.

No. 49 – A communication was received from the Director of Probation requesting extension of Alternatives to Incarceration Contracts. Referred to the Committee on Public Safety and Emergency Management.

No. 50 – A communication was received from the Personnel Officer/Self-Insurance Plan Administrator concerning penalties for late payment of participants. Referred to the Committee on Ways and Means.

No. 51 – A communication was received from the State Office for the Aging submitting fiscal assessment report for Herkimer County Office for the Aging. Ordered filed.

No. 52 – A communication was received from the New York State Association of Counties acknowledging receipt of a resolution. Ordered filed.

No. 53 – A communication was received from Capital District OTB submitting financial reports for October and November, 2011. Ordered filed.

No. 54 – A communication was received from the Personnel Officer submitting GASB 45 Other Postemployment Benefits Valuation for 2011. Ordered filed.

No. 55 – A communication was received from Jeffrey Rheinhardt advising of his retirement as attorney for the Herkimer County Sewer District. Referred to the Committees on Natural Resources and Ways and Means.

No. 56 – A communication was received from the Director of the Youth Bureau submitting the 2011 Annual Report. Referred to the Committee on County Planning and Development.

No. 57 – A communication was received from the Chairman of the Legislature appointing Dr. Gregory O'Keefe to the Herkimer County Community Services Board. Ordered filed.

No. 58 – A communication was received from the Director of Public Health requesting establishment of a temporary position. Referred to the Committees on Human Resources and Ways and Means.

No. 59 – A communication was received from the Employment and Training Director recommending an appointment to the Workforce Investment Board. Referred to the Committee on County Planning and Development.

No. 60 – A communication was received from the Ilion Public Library expressing appreciation for the county’s allocation. Ordered filed.

No. 61 – A communication was received from the Director of Real Property Tax Services submitting request for correction of tax rolls over \$25,000. Referred to the Committee on Ways and means.

No. 62 – A communication was received from the Erie Canalway Heritage Coordinator submitting the 2011 Annual Report. Ordered filed.

No. 63 – A communication was received from Assemblyman Butler concerning state redistricting. Ordered filed.

No. 64 - A communication was received from the County Treasurer requesting the establishment of a temporary position. Referred to the Committee on Ways and Means.

No. 65 – A communication was received from the Personnel Officer requesting approval of a Memorandum of Agreement with CSEA Local 1000. Referred to the Committee on Ways and Means.

No. 66 – A communication was received from the Assistant District Attorney requesting an agreement with the YWCA of the Mohawk Valley. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 67 – A communication was received from Senator Seward advising of pending legislation for expansion of New York’s DNA databank. Ordered filed.

No. 68 – A communication was received from the Old Forge Library expressing appreciation for the county’s allocation. Ordered filed.

No. 69 – 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.

No. 70 – A communication was received from the Budget Officer and Purchasing Agent submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 71 – A communication was received from the Highway Department concerning property in the Town of Manheim. Referred to the Committee on County Properties and the Committee on Ways and means.

No. 72 – A communication was received from the Minority Leader advising that the Minority Party has named Gary Hartman as their representative on the Redistricting Committee. Ordered filed.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Raymond Smith, Chairman of the Committee on Human Resources, reported on the Human Resources Committee meetings held Wednesday, January 25, 2012 and Thursday, February 9, 2012 and advised of the agenda items addressed by the committee at each meeting. Mr. Smith stated that he had also met with the Commissioner of Social Services and Mr. Wallace for the regularly scheduled PINS meeting. Bernard Peplinski, Chairman of the Committee on County Planning and Development advised that the County Planning and Development Committee had met and addressed certain items on the consent agenda. He advised of the appointment of Jodi Blydenburgh to the Workforce Investment Board of Oneida, Madison and Herkimer Counties and expressed appreciation to all those who serve on the Board. He discussed the Youth Bureau Annual Report and presented information on the youth summer employment program. Jean Maneen, Chairman of the Administration/Veterans' Committee reported on Admin./Vet. Affairs meeting held prior to the Legislature meeting. Mrs. Maneen advised of the agenda items which included a moment of silence for veterans at each legislature session, an update on the veterans ID cards and addressing the recent legislation requiring certain records be made available prior to open meetings, adding that the agendas for both committee and legislature meetings and proposed resolutions will be posted on the website. Patrick Russell, Chairman of the Committee on Ways and Means, reported on the Ways and Means Committee and the agenda items acted on by the committee. Frederick Shaw, Chairman of the Committee on Natural Resources, reported on the Natural Resources Committee agenda items which included appointment of five representatives to the Intercounty Legislative Committee of the Adirondacks. Leonard Hendrix, Chairman of the Committee on Public Safety and Emergency Management, reported on the committee meeting and the agenda items acted upon, including the Sheriff's monthly report for December, the extension of the Alternatives to Incarceration Contracts and a grant from the YWCA of the Mohawk Valley.

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

For: Ayes (16).

Against: None.

Absent: Manno (1).

Consent Agenda:

- 30 CO. PLANNING & DEV.: Adopting Annual Report of Youth Bureau
- 31 WAYS & MEANS: Adopting annual report of Stand Alone Workers' Comp. Plan
- 32 WAYS & MEANS: Adopting Annual Report of Former Self-Insurance Plan
- 33 PUB. SFTY./EMER. MGMT: Approving Monthly Report of Sheriff for Dec. 2011
- 34 CO. PLANNING & DEV.: Concerning Membership on Workforce Investment Board
- 35 WAYS & MEANS: Transferring funds

No. 30

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau for the year 2011, respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Youth Bureau for the year 2011 be approved and filed in the Office of the Herkimer County Legislature.

Dated: February 15, 2012.

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

No. 31

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE WORKERS' COMPENSATION PLAN

Your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2011, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2011 be adopted.

Dated: February 15, 2012.

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

KURT J. ACKERMAN
Committee on Ways and Means

No. 32

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF INSURANCE
PLAN

Your Committee on Ways and Means, to which was referred the Annual Report of the former Herkimer County Self Insurance Plan for the year 2011, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the former Herkimer County Self Insurance Plan for the year 2011.

Dated: February 15, 2012.

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

No. 33

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 December, 2011, 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 December, 2011, which report reflects an average daily population of 47.26 inmates, with an average of 19.71 inmates being boarded out in December, be approved and filed.

Dated: February 15, 2012.

LEONARD R. HENDRIX

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

No. 34

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND
DEVELOPMENT CONCERNING MEMBERSHIP ON THE WORKFORCE INVESTMENT
BOARD

WHEREAS, by letter dated February 3, 2012, Karin Zipko, Employment & Training Director, has advised that a vacancy currently exists on the Workforce Investment Board and recommends an appointment be made to said Board; now, therefore, be it

RESOLVED, that Jodi Blydenburgh, Vice President of Administration for GPO Federal Credit Union, is hereby appointed to serve on the Workforce Investment Board of Herkimer, Madison, and Oneida Counties for a term commencing February 16, 2012 through February 15, 2015 and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of Employment & Training, Chairman of the Workforce Investment Board, Chairman of the Madison County Board of Supervisors, Oneida County Executive and Jodi Blydenburgh.

Dated: February 15, 2012

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

No. 35

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 February 10, 2012, submitting requests for transfers of funds, reports that we have examined said communication,

inquired into the subject matter thereof, recommend that said transfers be made and offer the following Resolution:

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

\$3,000.00	From:	A6141.10000-001, HEAP – Salaries
	To:	A6141.44000, HEAP – Contracted Services
\$3,600.00	From:	A7320.10100, Youth Summer Work – Temp. Employees
	To:	A7310.81000, Youth Summer Work – Retirement

And, be it further

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

Dated: February 15, 2012.

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

On motion of Mr. Smith, seconded by Mr. Shaw and Mr. Ackerman, Report and Resolution No. 36 of the Committees on Human Resources and Ways and Means concerning services for the Department of Social Services Long Term Care Program Article 6 of the Highway Law was handed up; discussion was held, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

No. 36

**RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE
COMMITTEE ON WAYS AND MEANS CONCERNING SERVICES FOR THE
DEPARTMENT OF SOCIAL SERVICES LONG TERM CARE PROGRAM**

WHEREAS, by letter dated February 2, 2012, from Timothy Seymour, Commissioner of Social Services, your Committees are advised that the Herkimer County Department of Social Services has, for some time, entered into agreements with Oxford Home Care Services, Inc. and Superior Home Health Care to provide both private duty nursing and personal care aide services to eligible medical assistance recipients; and

WHEREAS, prior resolutions have provided for specific hourly fees, which fees are actually set by the New York State Department of Health through the Medicaid Program, making the inclusion of such fees in resolutions unnecessary; now, therefore, be it

RESOLVED, that this Legislature authorizes annual renewals of contracts between the Herkimer County Department of Social Services and Superior Home Health Care and Oxford Home Care Services, Inc. to provide private duty nursing and personal care aide services at rates set forth for qualified individuals under the Long Term Care Program of the Department of Social Services, with said contracts to be executed by the appropriate department and countersigned by the Chairman of this Legislature upon request to and approval by the Human Resources Committee; and, be it further

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

Dated: February 15, 2012.

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. Smith, seconded by Mr. Shaw and Mrs. Maneen, Report and Resolution No. 37 of the Committee on Human Resources and the Committee on Ways and Means increasing payment to contractors of mental health services was handed up; discussion was held, was voted on and adopted by voice vote:

For: Ayes (15).

Against: Rose (1).

Absent: Manno (1).

No. 37

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS INCREASING PAYMENT TO CONTRACTORS OF
MENTAL HEALTH SERVICES**

WHEREAS, by letter dated January 9, 2012, Edgar Scudder, Director of Community Services, has requested approval for increases in the hourly rates paid to consulting psychiatrists and other consulting counselors, with whom contracts have been entered into pursuant to resolutions previously adopted; and

WHEREAS, said resolutions provide for hours worked and compensation for said contractors; now, therefore, be it

RESOLVED, that the current hourly rate for consulting psychiatrists be increased from \$120.00 to \$122.50, retroactive to January 1, 2012, and the contracts of each of said contractors be revised to reflect such increase; and, be it further

RESOLVED, that the current hourly rate for other consulting counselors be increased from \$30.00 to \$32.00, retroactive to January 1, 2012, and the contracts of each of said contractors be revised to reflect such increase; and, be it further

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

Dated: February 15, 2012.

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. Smith, seconded by Mr. Russell, Mr. Weakley and Mr. Peplinski, Report and Resolution No. 38 of the Committees on Ways and Means and Human Resources authorizing contracts for Herkimer County Mental Health Services was handed up; there being no discussion, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

No. 38

REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS AUTHORIZING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

WHEREAS, by letter dated January 9, 2012 from Edgar Scudder, Director of Community Services, this Legislature is advised of a request to enter into contracts for the years 2012 and 2013 with various agencies to provide a variety of mental health services for county residents; and

WHEREAS, said contracts shall be supported at the 100% state aid level; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts for the years 2012 and 2013 with the following agencies to provide services to the Herkimer County Mental Health Services:

1. Upstate Cerebral Palsy Association
1020 Mary Street
Utica, NY 13501
For a contract sum of \$480,000
2. Herkimer ARC
333 South Main Street
Herkimer, NY 13350
For a contract sum of \$220,000
3. Family Services of the Mohawk Valley
401 Columbia Street
Utica, NY 13502
For a contract sum of \$155,000
4. Catholic Charities
61 West Street
Ilion, NY 13357
For a contract sum of \$425,000
5. Neighborhood Center
615 Mary Street
Utica, NY 13501
For a contract sum of \$105,000
6. Cornell Cooperative Extension
5657 State Route 5
Herkimer, NY 13350

For a contract sum of \$5,250

and, be it further

RESOLVED, that said above contracts shall be for a period of one year and shall end whenever state funds for said purposes are no longer available; and, be it further

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

Dated: February 15, 2012.

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

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

KURT J. ACKERMAN
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 39 of the Committees on Human Resources and Ways and Means authorizing reimbursement for malpractice insurance to mental health consultant was handed up; there being no discussion, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

No. 39

REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS AUTHORIZING REIMBURSEMENT FOR MALPRACTICE INSURANCE TO MENTAL HEALTH CONSULTANT

WHEREAS, Dr. Vinay Patil is a psychiatrist under contract to provide services to the Herkimer County Mental Health Services; and

WHEREAS, by letter dated January 9, 2012, Edgar Scudder, Director of Community Services, has requested Dr. Patil be reimbursed for a sum not to exceed \$1,500 for malpractice insurance in connection with his additional services to inmates at the Herkimer County Correctional Facility; and

WHEREAS, there are sufficient funds available in the Department of Mental Health Budget to allow for this expense; and

WHEREAS, your Committees have taken this matter under consideration and recommend said reimbursement; now, therefore, be it

RESOLVED, that Dr. Vinay Patil, be and he hereby is, authorized to receive reimbursement, upon receipt of proper documentation for a sum not to exceed \$1,500 for malpractice insurance associated with his additional services to inmates at the Herkimer County Correctional Facility; and, be it further

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

Dated: February 15, 2012.

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

On motion of Mr. Smith, seconded by Mr. Russell, Report and Resolution No. 40 of the Committee on Human Resources and the Committee on Ways and Means for staffing change in Public Health Nursing Service was handed up; discussion was held, was voted on and adopted by roll call vote:

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

Against: None. Absent: Manno (1).

No. 40

**REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES
AND WAYS AND MEANS FOR STAFFING CHANGE IN PUBLIC HEALTH NURSING
SERVICE**

WHEREAS, by letter dated January 23, 2012, Gregory O'Keefe, M.D., Director of Public Health, has requested a temporary part-time position of Senior Clerk be established to provide expertise necessary to recoup all revenue from the Flu Shot Immunization Program for the 2011-2012 Flu Season; and

WHEREAS, said letter requests said position be established from January 1, 2012 through December 31, 2012 at the hourly rate of \$17.36, not to exceed 19 ½ hours per week, with a maximum funding expenditure of \$4,365.00 which will be eligible for partial state aid reimbursement; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that a temporary position of part-time Senior Clerk is hereby established effective June 1, 2011 from January 1, 2012 through December 31, 2012 at the hourly rate of \$17.36, not to exceed 19 ½ hours per week, with a maximum funding expenditure of \$4,365.00; 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 Public Health.

Dated: February 15, 2012

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

On motion Mr. Russell, seconded by Mr. Smith and Mr. Weakley, Report and Resolution No. 41 of the Committee on Ways and Means imposing a penalty required by the Self-Insurance Plan for late payment of participants billing was handed up; discussion was held, was voted on and adopted by roll call vote:

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

Against: Hartman (1). Absent: Manno (1).

No. 41

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
IMPOSING PENALTY REQUIRED BY SELF-INSURANCE PLAN FOR LATE
PAYMENT OF PARTICIPANTS BILLING**

WHEREAS, the Rules and Regulations of the Self-Insurance Plan require the Administrator of the Plan to send out billings to Participants of annual payments necessary to fund the plan; and

WHEREAS, such billings were forwarded to all towns for payments to be made in 2012; and

WHEREAS, the Rules and Regulations require that participants make payment of said billings within thirty days after commencement of their fiscal year; and

WHEREAS, by communication dated February 6, 2012, the Plan Administrator advises that the Town of Warren failed to make such payment within the required thirty days and is therefore liable for penalties set forth in the plan of two percent for the first month and one percent for each month thereafter to the date of payment; now, therefore, be it

RESOLVED, that a penalty in the amount of two percent for the first month, and one percent for each month thereafter to the date of payment is imposed on the Town of Warren; and, be it further

RESOLVED, that the Administrator of the Self-Insurance Plan shall bill the Town of Warren each month for the amount due, which monthly bill shall include the additional penalty incurred each month; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Administrator of the Self-Insurance Plan, and Supervisor of the Town of Warren.

Dated: February 15, 2012.

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. Hyde and Mr. Ackerman, Report and Resolution No. 42 of the Committees Public Safety/Emergency Management and the Committee on Ways and Means in connection with grant from the YWCA of the Mohawk Valley for Law Enforcement Coordinator was handed up; there being no discussion, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS IN CONNECTION WITH GRANT FROM YWCA OF THE MOHAWK VALLEY FOR LAW ENFORCEMENT COORDINATOR

WHEREAS, by Resolution No. 20 adopted on January 18, 2012, this Legislature authorized amendment of the 2012 Herkimer County Budget in connection with the receipt of funding in the amount of \$30,000.00 from the YWCA of the Mohawk Valley for a Law Enforcement Coordinator's position in the District Attorney's Office; and

WHEREAS, by letter dated February 2, 2012, from Jeffrey S. Carpenter, Assistant District Attorney, your Committees have been advised of a request to authorize execution of an agreement with the YWCA of the Mohawk Valley in connection with the receipt of said grant funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the YWCA of the Mohawk Valley to receive \$30,000.00 from the YWCA of the Mohawk Valley for a Law Enforcement Coordinator's position in the District Attorney's Office; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, District Attorney's Office and the YWCA of the Mohawk Valley.

Dated: February 15, 2012.

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. Korce, seconded by Mr. Russell, Report and Resolution No. 43 of the Committee on Ways and Means authorizing memorandum of agreement with CSEA Local 1000 was handed up; there being no discussion, was voted on and adopted by roll call vote:

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

Against: None. Absent: Manno (1).

No. 43

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING MEMORANDUM OF AGREEMENT WITH CSEA LOCAL 1000**

WHEREAS, by letter dated February 1, 2012, this Legislature is advised of a request for approval of a Memorandum of Agreement with CSEA, Local 1000, which agreement will coordinate holidays for the CSEA employees in the County Highway Department with the holidays for the United Public Service Employees Union (Highway workers); and

WHEREAS, your Committee has considered said request and recommend approval; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a Memorandum of Agreement with CSEA, Local 1000, which will incorporate the above described changes for CSEA employees at the County Highway Department; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and President of CSEA Local 1000.

Dated: February 15, 2012.

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. 44 of the Committee on Ways and Means correcting tax roll in the Town of Russia was handed up; there being no debate, was voted on and adopted by roll call vote:

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

Against: None. Absent: Manno (1).

No. 44

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS
CORRECTING TAX ROLL IN THE TOWN OF RUSSIA**

WHEREAS, by letter dated February 7, 2012 from Mary Ann Barbuto, Director of Real Property Tax Services, this Legislature is informed that an error was made on the 2012 Tax Roll of the Town of Russia on property listed below in that the owners' 2010-2011 School Tax Bill was inadvertently relieved onto the 2012 Town and County tax bill and;

WHEREAS, application has been made to correct said tax roll by the cancellation of said tax bill; and

WHEREAS, your Committee has caused to be reviewed said application and the report of the Real Property Tax Director and recommends approval of the application for the parcel set forth below; now, therefore, be it

RESOLVED:

1. That this Legislature finds an error exists in the tax roll for the Town of Russia for the parcel listed below:

Town: Russia
Tax Map No. 072.19-1-7
Amount Billed: \$6,718.67

Owners: Steph, Loveland & Susan Rake
Location: Route 365 Remsen, NY 13438
Corrected Tax: \$1,828.89

2. That this Legislature approves the application to correct the error by making notation on the application and the copies thereof that the application is approved and by entering thereon the correct amount of taxes;

3. That an order is hereby made that the corrected tax is as set forth on the application form and the officer having jurisdiction of the indicated tax roll is directed to correct such roll;

4. That the Clerk of the Legislature is directed to transmit immediately to the collector of taxes of the indicated town the application and a copy of this Resolution and mail notice to the applicant that the application has been approved, and file the copy of this application with the records of the tax levying body;

5. That certified copies of this Resolution be forwarded to the Director of Real Property Tax Services, the Herkimer County Treasurer, the tax collector of the Town of Russia and the above listed applicant.

Dated: February 15, 2012

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. Russell and Mr. Peplinski, Report and Resolution No. 45 of the Committee on Ways and Means for temporary staffing change in Herkimer County Treasurer's Office was handed up; there being no discussion, was adopted by roll call vote:

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

Against: None. Absent: Manno (1).

No. 45

REPORT AND RESOLUTION OF THE COMMITTEES ON AND WAYS AND MEANS FOR TEMPORARY STAFFING CHANGE IN HERKIMER COUNTY TREASURER'S OFFICE

WHEREAS, by letter dated February 2, 2012, Kimberlee A. Enea, Herkimer County Treasurer, has requested a temporary full time position of Clerk be established to provide coverage in the County while a full-time employee is on a medical leave of absence and

WHEREAS, said letter requests said position be established from February 6, 2012 through May 6, 2012 at the hourly rate of \$13.46; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that a temporary position of full-time Clerk is hereby established effective from February 6, 2012 through May 6, 2012 at the hourly rate of \$13.46; 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: February 15, 2012

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. Peplinski and Mr. Smith, Report and Resolution No. 46 of the Committee on Ways and Means in connection with contract with the New York State Office of Court Administration to provide cleaning and minor repairs of court facilities was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Manno (1).

No. 46

REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS IN CONNECTION WITH CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE CLEANING AND MINOR REPAIRS OF COURT FACILITIES

WHEREAS, by Resolution No. 294 duly adopted on October 22, 2008, this Legislature authorized 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, 2008 through March 31, 2013; and

WHEREAS, by letter dated February 9, 2012 from Bernard E. Decker, Budget Officer and Purchasing Agent this Legislature is advised that the State of New York Unified Court System has requested that an Annual Renewal Letter and Budget be approved and signed for the period commencing April 1, 2011 through March 31, 2012, with the maximum compensation for said period to be \$82,557.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the Annual Renewal Letter and Budget for the period April 1, 2011 through March 31, 2012 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 compensation of \$82,557.00 for said period; 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: February 15, 2012.

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

On motion of Mr. Korce, seconded by Mr. Shaw, Report and Resolution No. 47 of the Committee on Ways and Means granting an additional leave of absence was handed up; there being no discussion, was voted on and adopted by voice vote:

For: Ayes (14).

Against: Hendrix, Hyde (2).

Absent: Manno (1).

No. 47

**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. 23 of 2011 to expire June 30, 2012; and

WHEREAS, by letter dated January 17, Timothy Seymour, Commissioner of Social Services has advised that by letter dated January 3, 2012, 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, 2012 through June 30, 2013, 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 15, 2012.

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

On motion of Mr. Hendrix, seconded by Mr. Ackerman and Mr. Johnson, Report and Resolution No. 48 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means extending alternatives to incarceration contracts was handed up; debate was held, was voted on and adopted by voice vote:

For: All ayes (16).

Against: None.

Absent: Manno (1).

No. 48

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS EXTENDING ALTERNATIVES TO INCARCERATION CONTRACTS

WHEREAS, pursuant to Resolution No. 224 of 2011, this Legislature authorized execution and e-signature of the annual contracts for the Pre-Trial Release and Community Services programs for the period January 1, 2011 through December 31, 2011; and

WHEREAS, by letter dated January 24, 2012 from Josephine Sohn, Director of Probation, your Committees have been advised that the New York State Division of Criminal Justice Services has notified them that said grants have been extended through June 30, 2012, with an approximate 50% increase in the Alternative to Incarceration Program; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign grant extensions for the period from January 1, 2012 to June 30, 2012 on behalf of the County of Herkimer with the New York State Division of Criminal Justice Services of the annual contracts for the Pre-Trial Release and Community Services 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 Probation.

Dated: February 15, 2012.

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. Smith, seconded by Mr. Schrader and Mr. Peplinski, Report and Resolution No. 49 of the Committees on County Properties and Ways and Means regarding sale of certain county owned property in the Town of Manheim was handed up; discussion was held, was voted on and adopted by roll call vote:

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

Against: None. Absent: Manno (1).

No. 49

REPORT AND RESOLUTION OF THE COMMITTEES ON COUNTY PROPERTIES AND WAYS AND MEANS REGARDING SALE OF CERTAIN COUNTY OWNED PROPERTY IN THE TOWN OF MANHEIM TO TIMOTHY E. MILLER AND JOAN MILLER

WHEREAS, the County acquired a certain parcel of land located in the Town of Manheim, County of Herkimer, State of New York, situated easterly of Bidelman Road and

northerly of River Road in such town, such property having been acquired in connection with construction of a state highway; and

WHEREAS, by communication dated November 16, 2011, it has been determined by the Herkimer County Highway Department that such parcel has no impact on the county highway system for highway purposes; and

WHEREAS, the adjoining landowners, Timothy E. Miller and Joan Miller have requested that they be allowed to purchase said property consisting of approximately 0.458 plus/minus acres for the sum of \$250.00, plus any all costs for preparation, filing and/or recording of the necessary transfer documents; and

WHEREAS, the New York State Department of Transportation currently holds and retains maintenance jurisdiction over said parcel of property; now, therefore, be it

RESOLVED, that the County sell and convey all of its right, title and interest in and to the aforesaid property consisting of approximately 0.458 acres located in the Town of Manheim, County of Herkimer, State of New York, which premises lie northerly of River Road, easterly of Biddelman Road and southerly of Route 5 and are adjacent to the premises owned by Timothy E. Miller and Joan Miller, to said Timothy E. Miller and Joan Miller for the amount of \$250.00, together with any and all costs associated with the preparation, filing and recording of All necessary transfer documents; and, be it further

RESOLVED, that the County Attorney is authorized and directed to prepare the necessary deed and other documents in order to effectuate the transfer of title of such premises to said Timothy E. Miller and Joan Miller, provided that the New York State Department of Transportation releases any and all maintenance jurisdiction the Department of Transportation has over the said parcel and abandons any and all jurisdiction of the New York State Department of Transportation over said parcel, to the County of Herkimer; and upon such abandonment, the Chairman of this Legislature is authorized and directed to execute the deed and all other documents necessary to effectuate the transfer; and, be it further

RESOLVED, that certified copies be forwarded Herkimer County Attorney, County Highway Superintendent and Timothy E. Miller and Joan Miller.

Dated: February 15, 2012.

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. Weakley, seconded by Mr. Shaw, Report and Resolution No. 50 of the Committee on Natural Resources appointing representatives to Intercounty Legislative Committee of the Adirondacks for 2012 was handed up ; there being no discussion, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

No. 50

RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS FOR 2012

WHEREAS, the Counties of Essex, Hamilton, Herkimer, Lewis, St. Lawrence, Washington, Saratoga, Clinton, Franklin, Fulton and Warren have established the Intercounty Legislative Committee of the Adirondacks for the purpose, among other things, of initiating and taking positions on pending legislation affecting the Adirondack area; now, therefore, be it

RESOLVED, that Vincent J. Bono, Chairman of the Herkimer County Legislature, Bernard Peplinski, Vice-Chairman of the Herkimer County Legislature, Patrick E. Russell, County Legislator and Adirondack representative, Raymond Smith, County Legislator, and James W. Wallace, Jr., County Administrator, be and hereby are designated as representatives of the County of Herkimer on the Intercounty Legislative Committee of the Adirondacks during the year 2012; and, be it further

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

Dated: February 15, 2012.

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. Russell, seconded by Mr. Weakley, Report and Resolution No. 51 of the Committee on Ways and Means determining officers and employees of Herkimer County required to file financial disclosure forms was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

No. 51

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS DETERMINING OFFICERS AND EMPLOYEES OF HERKIMER COUNTY REQUIRED TO FILE FINANCIAL DISCLOSURE FORMS

WHEREAS, the Herkimer County Legislature has, pursuant to the General Municipal Law, enacted Local Law No. 3 for the year 1990, an Ethics Law which requires a financial disclosure form to be filed by certain officers and employees of the County of Herkimer; and

WHEREAS, by Resolution No. 339 of 1990 the Herkimer County Legislature adopted a list of all officers and employees of the County who are required to file annual financial disclosure forms, which resolution was amended to reflect changes to positions in subsequent years; and

WHEREAS, due to changes in positions and duties of officers and employees it is hereby necessary to adopt a new list, referred to as Schedule A; now, therefore, be it

RESOLVED, that all officers and employees on the attached list attached hereto marked Schedule A, be required to file a financial disclosure form as set forth in Local Law No. 3 for the year 1990; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Ethics Board and each officer and employee who holds a position named on Schedule A.

Dated: February 15, 2012.

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

On motion of Mr. Korce, seconded unanimously, Report and Resolution No. 52 in memorial to Ruth H. Miller, was handed up; discussion was held, was voted on and adopted by voice vote:

For: All ayes: (16).

Against: None.

Absent: Manno (1).

No. 52

IN MEMORIAM

WHEREAS, *Ruth H. Miller departed this life on January 28, 2012; and*

WHEREAS, *Ruth Miller was an outstanding citizen, devoted wife, mother and grandmother, residing as a lifelong resident in the Village of Herkimer; and*

WHEREAS, *Ruth Miller had a long career in public service and was appointed Clerk of the Legislature in 1974, in which position she served with dedication and devotion until her retirement; and*

WHEREAS, *Ruth Miller gave of her time and talents as a member of the The Herkimer Christ Episcopal Church and the East Herkimer Seniors; 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 Ruth H. Miller and hope that this expression of remembrance may in some manner help console her family in their bereavement; and be it further*

RESOLVED, *That a copy of this Resolution be sent to the family of Ruth H. Miller and that an additional copy be spread upon the minutes off this meeting.*

Dated: February 15, 2012.

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

At 8:45 p.m. on motion of Mrs. Maneen, seconded by Mr. Shaw, the Legislature adjourned to Wednesday, March 21, 2012 at 7:30 p.m.