

**MINUTES
SPECIAL SESSION
Herkimer County Legislature
Monday, November 19, 2012
12:00 p.m.**

The Special Session of the Herkimer County Legislature was called to order by Chairman Bono at 12:00 p.m.

Chairman Bono called on Legislator Rose 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.

The Clerk called the roll, the following answered:

Present: Hartman, Rose, Maneen, Johnson, Hendrix, Hyde, Bono, Peplinski, Korce, Russell, Shaw, Weakley (12).

Absent: Schrader, Brezinski, Manno, Smith, Ackerman (5).

Chairman Bono stated that the communication received by the Legislature and the Committees to which it was referred was listed on the agenda and asked if any member of the Legislature requested mention of that particular communication. There was no request to have the communication read.

No. 388 – A communication was received from the Chairman of the Legislature requesting the Special Session. Referred to the Committees on Human Resources, Ways and Means and Public Safety/Emergency Management.

On motion of Mr. Russell, seconded by Mrs. Maneen and Mr. Peplinski, Resolution No. 288 of the Committee on Human Resources and the Committee on Ways and Means appointing Acting Director of Public Health was handed up; discussion was held; was voted on and adopted by the following voice vote:

Ayes: (12) Against: None

Absent: Schrader, Brezinski, Manno, Smith, Ackerman (5).

No. 288

**RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS
APPOINTING ACTING DIRECTOR OF PUBLIC HEALTH**

WHEREAS, by Resolution No. 180 of 1987 the position of Director of Public Health was established for the County of Herkimer; and

WHEREAS, a vacancy shall exist in the position of Director of Public Health, effective November 25, 2012; and

WHEREAS, it is the recommendation of your Committees that Christina Cain of Dolgeville, New York, be appointed to serve as Acting Director pending hiring of a permanent replacement; now, therefore, be it

RESOLVED, that Christina Cain of 310 Lotville Road, Dolgeville, New York, be, and she hereby is, appointed Acting Director of Public Health, effective November 25, 2012, at the base annual salary of \$60,000; and, be it further

RESOLVED, that Christina Cain shall serve in said capacity until a permanent replacement is appointed; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Christina Cain and the New York State Department of Health.

Dated: November 19, 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 of Mr. Hyde, seconded by Mr. Hendrix, Resolution No. 289 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means appointing Jail Physician was handed up; discussion was held, was voted on and adopted by voice vote:

Ayes: (12).

Against: None.

Absent: Schrader, Brezinski, Manno, Smith, Ackerman (5).

No. 289

**RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY
MANAGEMENT AND WAYS AND MEANS APPOINTING JAIL PHYSICIAN**

WHEREAS, Section 501 of the Correction Law of the State of New York requires that the Legislature appoint a physician duly authorized to practice medicine as the Physician to the Correctional Facility of the County of Herkimer; and

WHEREAS, Dr. Gregory O'Keefe, is so qualified and it is your Committee's recommendation that Dr. O'Keefe be appointed as said jail physician; now, therefore, be it

RESOLVED, that Gregory O'Keefe, MD, of Little Falls, New York, be and he hereby is, appointed jail physician for the Herkimer County Correctional Facility effective November 25, 2012, pursuant to a contract to be entered into with him such that he shall be an independent contractor and not an officer or employee of the County; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Dr. Gregory O'Keefe for said services commencing November 25, 2012, terminable at any time by either party upon 30 days' notice, for a sum not to exceed \$25,000 per year, with the County to provide medical malpractice coverage and hold Dr. O'Keefe harmless from any such claims, and with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Sheriff and Dr. Gregory O'Keefe .

Dated: November 19, 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. Hyde, seconded by Mrs. Maneen, the Special Session was adjourned at 12: 15 p.m.