

**MINUTES
SPECIAL SESSION
Herkimer County Legislature
Thursday, December 29, 2011
8:00 a.m.**

The Special Session of the Herkimer County Legislature was called to order by Chairman Smith at 8:00 a.m.

Chairman Smith called on Legislator John Piseck to lead the Legislature in the Pledge of Allegiance.

The Clerk called the roll, the following answered:

Present: Piseck, Maneen, Stone, Manno, Smith, , Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (11).

Absent: Rose, Hendrix, Hyde, Brezinski, Bono (5).

The Clerk read the Notice of the Special Session.

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

No. 431 – A communication was received from the Chairman of the Legislature requesting the Special Session. Ordered filed.

No. 432 – A communication was received from the Director of Real Property Tax Services requesting amendment of tabulation of town budgets. Referred to the Committee on Ways and Means.

No. 433 – A communication was received from the Director of Real Property Tax Services requesting amendment of Resolution No. 322 levying taxes. Referred to the Committee on Ways and Means.

No. 434 – A communication was received from the Director of Real Property Tax Services requesting amendment of Resolution No. 339 approving tax warrants. Referred to the Committee on Ways and Means.

No. 435 – A communication was received from the Director of Real Property Tax Services submitting amended District Tax Rates. Ordered printed and filed.

At 8:05 a.m. Legislator Stephen Keblish entered the Legislature Chambers and was marked present on the roll.

On motion of Mr. Russell, seconded by Mr. Weakley and Mr. Peplinski, Report and Resolution No. 342 of the Committee on Ways and Means amending Resolution No. 321 levying for town budgets was handed up; debate was held, was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Manno, Smith, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (12).

Against: None.

Absent: Rose, Hendrix, Hyde, Brezinski, Bono (5).

No. 342

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AMENDING RESOLUTION NO. 321 LEVYING FOR TOWN BUDGETS**

WHEREAS, by Resolution No. 321 duly adopted on December 14, 2011, this Legislature adopted the levy of taxes and assessments required for the purposes of annual budgets of the towns of the County of Herkimer; and

WHEREAS, by letter dated December 21, 2011, Mary Ann Barbuto, Director of Real Property Tax Services, has advised that it is necessary to amend said Table to reflect a change in the amounts to be appropriated for the Town of Fairfield for the Fiscal Year 2012; now, therefore, be it

RESOLVED, that Resolution No. 321 duly adopted on December 14, 2011, is hereby amended to substitute the attached Table of Town Budgets for 2012; and, be it further

RESOLVED, that in all other respects, said Resolution No. 321 is hereby ratified and confirmed.

Dated: December 29, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 343 of the Committee on Ways and Means amending Resolution No. 322 levying taxes for 2012 was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Manno, Smith, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (12).

Against: None.

Absent: Rose, Hendrix, Hyde, Brezinski, Bono (5).

No. 343

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AMENDING RESOLUTION NO. 322 LEVYING TAXES FOR THE YEAR 2012**

WHEREAS, by Resolution No. 322 duly adopted on December 14, 2011, this Legislature levied taxes pursuant to the provisions of Section 360 of the County Law and Section 900 of the Real Property Tax Law upon the taxable property in the County of Herkimer; and

WHEREAS, by letter dated December 21, 2011, Mary Ann Barbuto, Director of Real Property Tax Services, has advised that it is necessary to amend said Table to reflect a change in the amounts for the Town of Fairfield for the 2012 specific tax levies; now, therefore, be it

RESOLVED, that Resolution No. 322 duly adopted on December 14, 2011, is hereby amended to substitute the attached Table of Tax Levy for 2012 and, be it further

RESOLVED, that in all other respects, said Resolution No. 322 is hereby ratified and confirmed.

Dated: December 29, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 344 of the Committee on Ways and Means amending Resolution No. 339 approving the completed tax rolls of the several towns and the City of Little Falls, directing the execution and delivery of warrants for the collection of the taxes extended therefor pursuant to Section 904 of the Real

Property Tax Law was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Keblish, Maneen, Stone, Manno, Smith, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (12).

Against: None.

Absent: Rose, Hendrix, Hyde, Brezinski, Bono (5).

No. 344

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AMENDING RESOLUTION NO. 339 APPROVING THE COMPLETED TAX ROLLS
OF THE SEVERAL TOWNS AND THE CITY OF LITTLE FALLS, DIRECTING THE
EXECUTION AND DELIVERY OF WARRANTS FOR THE COLLECTION OF THE
TAXES EXTENDED THEREFOR PURSUANT TO SECTION 904 OF THE REAL
PROPERTY TAX LAW**

WHEREAS, by Resolution No. 339 adopted on December 14, 2011, this Legislature approved the tax warrants for the Towns and the City of Little Falls pursuant to Section 904 of the Real Property Tax Law; and

WHEREAS, by letter dated December 21, 2011, Mary Ann Barbuto, Director of Real Property Tax Services, has advised that it is necessary to amend said Table to reflect a corrected tax warrant for the Town of Fairfield for the year 2012 now, therefore, be it

RESOLVED, that Resolution No. 339 duly adopted on December 14, 2011, is hereby amended to substitute an amended 2012 Tax Warrant for the Town of Fairfield; and, be it further

RESOLVED, that in all other respects, said Resolution No. 339 is hereby ratified and confirmed.

Dated: December 29, 2011.

PATRICK E. RUSSELL
DENNIS KORCE
VINCENT J. BONO
BRUCE WEAKLEY
JOHN J. PISECK, JR.
BERNARD PEPLINSKI, SR.
Committee on Ways and Means

On motion of Mr. Manno, seconded by Mr. Shaw, the Special Session adjourned at 8:09 p.m.