

INTRODUCTORY LOCAL LAW NO. 3 - 1994

LOCAL LAW NO.1 - 1995

A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE

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

Section 1. The base annual salary of the County Administrator shall be the sum of forty-four thousand, seven hundred fifty-eight dollars (\$44,758.00).

Section 2. The base annual salary of the County Auditor shall be the sum of twenty-eight thousand, nine hundred eighty-nine dollars (\$28,989.00).

Section 3. The base annual salary of the Budget Officer and Purchasing Agent shall be the sum of thirty-three thousand, five hundred seventy-three dollars (\$33,573.00).

Section 4. The base annual salary of the Real Property Tax Director shall be the sum of thirty-two thousand, four hundred fifty-four dollars (\$32,454.00).

Section 5. The base annual salary of the County Clerk shall be the sum of thirty-four thousand, eight hundred seventy-six dollars (\$34,876.00).

Section 6. The base annual salary of the County Treasurer shall be the sum of thirty-four thousand, nine hundred seventy-two (\$34,972.00).

Section 7. The base annual salary of the County Attorney shall be the sum of thirty-seven thousand, eight hundred eleven dollars (\$37,811.00).

Section 8. The base annual salary of the Commissioner of Social Services shall be the sum of forty-nine thousand, nine hundred eleven dollars (\$49,911.00).

Section 9. The base annual salary of the County Highway Superintendent shall be the sum of fifty thousand, nine hundred ninety-four dollars (\$50,994.00).

Section 10. The base annual salary of the County Sheriff shall be the sum of forty thousand, two hundred eighty-eight dollars (\$40,288.00).

Section 11. The base annual salary of the Personnel Officer shall be the sum of thirty-four thousand, five hundred four dollars (\$34,504.00).

Section 12. The base annual salary of the Director of the Office for the Aging shall be the sum of twenty-eight thousand, nine hundred eighty-six dollars (\$28,986.00).

Section 13. The base annual salary of the Board of Elections Commissioners shall be the sum of seventeen thousand, six hundred forty-five dollars (\$17,645.00).

Section 14. The base annual salary of the county coroners shall be seventy dollars per diem (\$70.00).

Section 15. The Salary Schedule for 1995 shall include annual increments and longevity as they apply to each officer and employee listed in the foregoing sections.

Section 16. This Local Law shall take effect January 1, 1995, but in no event less than forty-five days after its adoption.

Dated: October 24, 1994.

Adopted: January 3, 1994.

*Effective
after 1-1-95*

INTRODUCTORY LOCAL LAW NO. 1 - 1995

LOCAL LAW NO. 2 - 1995

A LOCAL LAW AUTHORIZING A CONTRACT TO PROVIDE COUNTY FUNDS
FOR THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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

Section 1. Article 18-a of the General Municipal Law authorizes a county to establish an Industrial Development Agency to promote the economic welfare, recreation opportunities and prosperity of inhabitants of the county and to actively promote, attract, encourage and to develop recreation, economically sound commerce and industry. The Herkimer County Industrial Development Agency has been so established for these purposes and for all other purposes set forth in said Article 18-A of the General Municipal Law.

Section 2. This Legislature deems it advantageous to the inhabitants of this county to provide throughout its budgetary process funds to said Agency for the purposes for which said agency has been established.

Section 3. This Legislature, therefore, authorizes contracts between the County of Herkimer and the Herkimer County Industrial Development Agency for the purpose of granting funds to that Agency, said funds to be used by said Agency only for purposes for which the County of Herkimer is authorized to make disbursements.

Section 4. This Local Law shall take effect immediately.

Dated: February 27, 1995.
Adopted: February 27, 1995.

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INTRODUCTORY LOCAL LAW NO. 2 - 1995

LOCAL LAW NO. 3 - 1995

A LOCAL LAW TO PROVIDE FOR THE EXEMPTION FROM TAXATION BY THE COUNTY OF HERKIMER TO THE EXTENT OF FIFTY PER CENTUM OF THE ASSESSED VALUATION OF REAL PROPERTY OWNED BY ONE OR MORE PERSONS, EACH OF WHOM IS 65 YEARS OF AGE OR OVER, OR REAL PROPERTY OWNED BY HUSBAND AND WIFE, OR SIBLINGS, ONE OF WHOM IS 65 YEARS OF AGE OR OVER.

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

Section 1. That real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife, one of whom is 65 years of age or over, or real property owned by siblings (as defined in Section 467(1)(a) of the Real Property Tax Law), one of whom is 65 years of age or over, shall be exempted from taxation by the County of Herkimer to the extent of 50 per centum of the assessed valuation thereof.

Section 2. No exemption, as described in Section 1 hereof, shall be granted by the County of Herkimer unless there is compliance with the provisions of Section 467 of the Real Property Tax Law of the State of New York.

Section 3. No exemption, as described in Section 1 hereof, shall be granted in the event that the income of the owner, or the combined income of the owners of the property, for the tax year immediately preceding the date of making application for exemption exceeds the sum of \$10,000.

Section 4. This Local Law shall take effect immediately.

ADOPTED: April 3, 1995.
EFFECTIVE: April 3, 1995.

INTRODUCTORY LOCAL LAW NO. 3 - 1995
LOCAL LAW NO. 4 - 1995

A LOCAL LAW ENUMERATING RULES AND REGULATIONS FOR THE ADMINISTRATION
OF THE HERKIMER COUNTY SELF-INSURANCE PLAN

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

Section 1. The Herkimer County Self-Insurance Plan as established under the authority of Local Law No. 3 for the year 1956 is hereby continued.

Section 2. The Herkimer County Self-Insurance Plan shall be administered by an Administrator who shall be the duly appointed Personnel Officer of the County of Herkimer.

Section 3. Rules and Regulations for the Administration of the Herkimer County Self-Insurance Plan are promulgated as follows:

A. PARTICIPATION

In addition to the County, participation in the Herkimer County Self-Insurance Plan shall be available to the City of Little Falls and the towns and villages located within the geographical boundaries of Herkimer County.

Coverage by each participant shall be extended, as provided for in Workers' Compensation Law, Section 63, to Volunteer Firefighters duly approved for membership in a fire company or fire department organized within the territory of such participant, unless the participant has elected to limit its participation to certain of its officers and employees. Coverage of any participant or participants may be extended to members of any volunteer ambulance service, certified or registered under the Public Health Law of the State of New York or any other applicable state statute, operating within the territory of such participant or participants.

For the purposes of the Herkimer County Self-Insurance Plan only, officers and employees of a soil conservation district located wholly within the County of Herkimer shall be deemed employees of the County.

B. ENTRY AND WITHDRAWAL

Participants as defined in subdivision A hereof, other than those in the plan at the time of its

LOCAL LAW
INTRODUCTORY NO. 4 - 1995
LOCAL LAW NO. 5 - 1995

A LOCAL LAW REQUIRING WRITTEN NOTICE OF DEFECTIVE, UNSAFE, DANGEROUS OR OBSTRUCTED CONDITIONS OR THE EXISTENCE OF SNOW OR ICE ON HIGHWAY PRIOR TO MAINTENANCE OF ACTION AGAINST THE COUNTY OF HERKIMER FOR INJURIES TO PERSON OR DAMAGES TO PROPERTY

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

Section 1. (a) No civil action shall be maintained against the County of Herkimer for damages or injuries to person, or property sustained by reason of any street, highway, bridge, culvert, sidewalk or crosswalk, including any signs, markings or other traffic control devices associated with any such areas or locations being defective, unsafe, dangerous or obstructed, unless written notice of such defective, unsafe, dangerous or obstructed condition was actually given to the Clerk of the Herkimer County Legislature or to the Herkimer County Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defective, unsafe, dangerous or obstructed condition complained of. Nor shall such action be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any street, highway, bridge, culvert, sidewalk or crosswalk, unless written notice thereof specifying the particular place is actually given to the Clerk of the Herkimer County Legislature or to the Herkimer County Superintendent of Highway, and there was a failure or neglect to cause such snow and ice to be removed or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice. Said written notice shall include the name and address of the person giving the notice and specify the county road number and/or the name of the highway where the condition exists and a description of the condition.

(b) The Herkimer County Superintendent of Highways shall transmit in writing to the Clerk of the Herkimer County Legislature within ten days after the receipt thereof all written notices received by him specifying any of the conditions set forth in subsection (a) hereof. The Clerk of the Herkimer County Legislature shall notify forthwith the Herkimer County Superintendent of Highways of the receipt of any written notice specifying any of the conditions set forth in subsection (a) hereof.

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controlling.

Section 5. This Local Law shall take effect immediately.

Dated: July 31, 1995.
Adopted: July 31, 1995.

LOCAL LAW
INTRODUCTORY NO. 5 - 1995
LOCAL LAW NO. 6 - 1995

A LOCAL LAW EMPOWERING THE COUNTY PROPERTY AGENT TO BE THE ENFORCING OFFICER WITH DUTIES AS SET FORTH IN REAL PROPERTY TAX LAW ARTICLE 11 - PROCEDURES FOR ENFORCEMENT AND COLLECTION OF DELINQUENT TAXES

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

Section 1. Pursuant to the requirement contained in Real Property Tax Law Section 1102(3), this Legislature names the employee of the County holding the title County Property Agent to perform the duties of "Enforcing Officer" as set forth in the Real Property Tax Law, and authorizes and empowers that employee to perform all of the duties required of an "Enforcing Officer".

Section 2. This Local Law shall take effect immediately.

Dated: September 18, 1995.

Adopted: September 18, 1995.

INTRODUCTORY LOCAL LAW NO. 6 - 1995
LOCAL LAW NO. 7 - 1995

A LOCAL LAW ENACTING A SCANNER/SHELF PRICE ACCURACY LAW
IN AND FOR THE COUNTY OF HERKIMER

SECTION 1. DEFINITIONS

- a. Retail Store shall mean a store selling stock keeping units at retail.
- b. Computer-assisted checkout system shall mean any electronic device, computer system or machine which determines and prints out the selling price of a stock keeping item by interpreting its universal product code, or in-house product code, or by use of its price look-up function.
- c. Pricing accuracy inspection shall mean an inspection of a retail store for purposes of determining that programmed computer prices are consistent with prices shown on item, unit or shelf tags or signs, or any advertised price. A pricing accuracy inspection shall consist of not less than one hundred stock keeping units, representing a cross section of all stock keeping units offered for sale.
- d. Stock keeping unit shall mean each group of items offered for sale of the same brand name, quantity of contents, and the same retail price.
- e. Shelf price shall mean the tag or sign placed by an authorized person at each point of display of a stock keeping unit, which clearly sets forth the retail price of the stock keeping items within the unit.

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senior citizens and other consumers which includes a disclosure that complaints may be filed with the Herkimer County Weights and Measures Department. A retail store which provides customers with a pamphlet explaining scanner accuracy and unit pricing procedures will have satisfied this requirement. Said pamphlet must be displayed and be available at the main entry to the retail store, or as directed by County Weights and Measures Department personnel.

d. The Herkimer County Weights and Measures Department shall have the authority to respond to consumer complaints of overcharges.

e. In the event the programmed computer price exceeds the shelf price shown on the unit or shelf tag, the retail store will correct the pricing before the inspector leaves the store.

SECTION 3. PENALTIES

a. The following penalties are established for pricing accuracy inspection violations, based on a sample of not less than one hundred stock keeping units. A violation exists when the programmed computer price exceeds the item price or shelf price shown on the unit or shelf tag and shall be subject to the following:

1. 98% or better pricing accuracy: pricing must be corrected
2. 97% pricing accuracy: total penalty of \$250.00
3. 96% pricing accuracy: total penalty of \$300.00
4. 95% pricing accuracy: total penalty of \$750.00
5. below 95% pricing accuracy: total penalty of \$1,000.00

Each violation of Section 2(a)(3) of this law shall be considered a 1% inaccuracy regardless of the number of stock keeping units in the inspection sample.

b. If a retail store fails to achieve a pricing accuracy level of 95% on two consecutive pricing accuracy inspections, an additional penalty in the amount of \$2,000.00 will be assessed.

SECTION 4. APPLICABLE DATE

This local law shall become applicable for and within the County of Herkimer sixty (60) days from the date of adoption.

SECTION 4. EFFECTIVE DATE

This local law shall become effective immediately.

Dated: November 13, 1995.