

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – First Day**  
**Wednesday, January 9, 2013**  
**2:00 p.m.**

The First Quarterly Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 2:00 p. m.

Chairman Bono called on Lieutenant Tom Adams of the Sheriff's Department 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, Johnson, Hendrix, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Absent: Maneen, Hyde (2).

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 December 19, 2012. There were none, and the Chairman ordered them approved.

Chairman Bono dispensed with the regular session to allow for a presentation by Michael Ogden, President and CEO of Little Falls Hospital. Mr. Ogden gave a brief overview of the history and future plans for Little Falls Hospital. He presented a chart on the many transition services that will be offered at the hospital, as well as the extensive renovations that are happening at the hospital. He encouraged everyone to contact him with any questions, concerns or suggestions on the future of Little Falls Hospital.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individual spoke on the topic listed: Carl Streeter – New Year.

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. 1 – A communication was received from the Director of Real Property Tax Services requesting the County Auditor be allowed to process refunds and corrected tax bills for 2013. Referred to the Committee on Ways and Means.

No. 2 – A communication was received from the Republican Election Commissioner reappointing Sandra Zeman as Deputy Commissioner of Elections. Placed on file

No.3 – A communication was received from the Democratic Election Commissioner reappointing Katherine Pumilio as Deputy Commissioner of Elections. Placed on file.

No. 4 – A communication was received from Michael Edwards submitting his resignation as Director for the Mohawk Valley Economic Development District. Placed on file

No. 5 – A communication was received from the Sheriff submitting the monthly report for October, 2012. Referred to the Committee on Public Safety/Emergency Management.

No. 6 – A communication was received from the Sheriff requesting approval for a contract with the State Unified Court System to provide court security. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 7 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting their adopted 2013 Budget. Placed on file.

No. 8 – A communication was received from the Budget Officer recommending award of bid for Non-Emergency Medicaid Transportation Services. Referred to the Committees on Human Resources and Ways and Means.

No. 9 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 10 – A communication was received from the Executive Director of the IDA requesting the Chairman confirm findings of the IDA for a proposed project. Referred to the Committee on County Planning and Development.

No. 11 – A communication was received from the Sheriff requesting an agreement with Bassett Hospital for treatment of inmates with tuberculosis. Referred to the Committee on Public Safety and Emergency Management.

No. 12 – A communication was received from the Commissioner of Social Services submitting request for contract for provision of Non-Emergency Medicaid Transportation Services. Referred to the Committees on Human Resources and Ways and Means.

No. 13 – A communication was received from the County Treasurer requesting extension of a temporary position. Referred to the Committee on Ways and Means.

No. 14 – A communication was received from the County Treasurer requesting designation of depositories of county funds for 2013. Referred to the Committee on Ways and Means.

No. 15 – A communication was received from the Director of Community Services submitting the November/December activities update. Placed on file.

No. 16 – A communication was received from the Acting director of Public Health requesting an amendment of Salary Schedule III for staffing changes. Referred to the Committees on Human Resources and Ways and Means.

No. 17 – A communication was received from the Director of the Office for the Aging requesting an amendment of Salary Schedule III for staffing change. Referred to the Committees on Human Resources and Ways and Means.

No. 18 – A communication was received from the City of Little Falls submitting a resolution cancelling the City’s agreement for assessment services with the County. Referred to the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. There were no reports.

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

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

**Consent Agenda:**

- 1 PUB. SFTY./EMER. MGMT.: Monthly Report of Sheriff
- 2 WAYS & MEANS: Authorizing Auditor to Process Tax Refund applications and correct errors on tax rolls
- 3 WAYS & MEANS: Transferring Funds

No. 1

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT APPROVING MONTHLY REPORTS OF SHERIFF**

WHEREAS, your Public Safety & Emergency Management Committee, to which was referred the reports of the Sheriff for the month of October, 2012, respectfully report that we

have examined said reports, recommend that they be approved and offer the following Resolution:

RESOLVED, that the report of the Herkimer County Sheriff for the month of October, 2012, which report reflects an average daily population of 73.96 inmates, with an average of 47.63 inmates being boarded out in October, be approved and filed.

Dated: January 9, 2013.

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

No. 2

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS  
AUTHORIZING COUNTY AUDITOR TO PROCESS REAL PROPERTY TAX  
REFUND APPLICATIONS AND TO CORRECT ERRORS ON TAX ROLLS**

WHEREAS, Section 556 (8) of the Real Property Tax Law authorizes this Legislature to delegate, by resolution, to an appropriate official who is either empowered to authorize payment of bills without prior audit by this Legislature or to an official responsible for the payment of bills upon audit by this Legislature to perform the duties set forth in said section related to the refund of taxes, when the refund recommended by the Director of Real Property Tax Service is less than \$2,500.00; and

WHEREAS, Section 554 (9) of the Real Property Tax Law authorizes this Legislature to, by resolution, delegate the authority to perform corrections of errors in the tax roll to an appropriate official who is either empowered to authorize payment of bills without prior audit by this Legislature or to an official responsible for the payment of bills upon audit by this Legislature, provided said correction is \$2500 or less; and

WHEREAS, by letters dated December 31, 2012, the Director of the Real Property Tax Service Agency has requested approval for said procedures for the year 2013; now, therefore, be it

RESOLVED:

1. That pursuant to Real Property Tax Law Section 556(8) the County Auditor is hereby authorized to perform the duties set forth in such section for the the Legislature to perform, when the refund recommended by the Director of Real Property Tax Services is \$2,500 or less;

2. That pursuant to Real Property Tax Law Section 554(9) the County Auditor is hereby authorized to perform the duties set forth in Section 554 of the Real Property Tax Law when the recommended correction is \$2500 or less;
3. That the County Auditor, in performing such duties, shall be governed by the provisions of Real Property Tax Section 554 and Section 558 and shall make reports to the Legislature as provided in said Sections;
4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Director of Real Property Tax Services.

Dated: January 9, 2013.

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

No. 3

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

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated December 31, 2013, 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:

\$ 300.00	From: A1165.10100 District Attorney, temporary employees To: A1165.46100 District Attorney, mileage & travel
\$ 381.40	From: A1340.44000 Budget and Purchasing, Contracted Svcs. To: A1450A.10100 BOE Admin.; temporary employees
\$ 101.31	From: A1340.44000 Budget and Purchasing, Contracted Svcs. To: A8066.46100 Adirondack Park Local Govt. Review Board
\$18,000.00	From: A4322.44000-252 Cont. MH, Cont. Agencies To: A4320.44000 MH Programs, Cont. Services

and be it further,

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

Dated: January 9, 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. Smith, Report and Resolution No. 4 of the Committee on Ways and Means as regards designation of depositories of county funds for the year 2013 was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

#### **No. 4**

### **REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AS REGARDS DESIGNATION OF DEPOSITORIES OF COUNTY FUNDS FOR 2013**

RESOLVED, that the County Legislature of the County of Herkimer does hereby designate the following banks for the deposits of all monies received by the Herkimer County Treasurer, to wit:

Bank of America	8,000,000.00
M & T Bank	20,000,000.00
NBT	1,000,000.00
First Niagara Bank	15,000,000.00
Adirondack Bank	20,000,000.00
Chase Manhattan	4,000,000.00

and, be it further

RESOLVED, that the County Treasurer be, and she hereby is, authorized, empowered and directed to enter into an agreement with each of the said banks for and on behalf of and in

the name of the County Legislature of the County of Herkimer, fixing rates of interest to be paid on the monies so deposited; and, be it further

RESOLVED, that before any monies be deposited in any bank, the County Treasurer accept from such bank either a depository bond in some good and solvent surety company or in lieu of such bond, bonds or certificates of the United States, of the State of New York, or any county, city and town of the State of New York, including bonds or certificates, and shall be deposited in a safe deposit box or safe deposit boxes by said County Treasurer in the name of the County of Herkimer or a properly executed certificate of escrow as authorized under the Laws of the State of New York, which certificate is approved by the County Attorney; and the County Treasurer is hereby authorized and directed to enter into a collateral agreement with said banks, which agreement is to be first approved by the County Attorney; and, be it further

RESOLVED, that this Resolution be, and hereby is, made effective to and including December 31, 2013; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Attorney, County Clerk and the above named depositories.

Dated: January 9, 2013.

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

On motion of Mr. Hendrix, seconded by Mr. Peplinski and Mr. Shaw, Report and Resolution No. 5 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing extension of agreement with Mary Imogene Bassett Hospital for care of inmates with active tuberculosis was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 5

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING EXTENSION OF AGREEMENT WITH THE MARY**

**IMOGENE BASSETT HOSPITAL FOR CARE OF INMATES WITH ACTIVE TUBERCULOSIS**

WHEREAS, by letter dated December 11, 2012, Sheriff Christopher P. Farber advises your Committees of a request for renewal of a contract with Mary Imogene Bassett Hospital for the examination, evaluation and where appropriate, treatment on an inpatient basis of inmates from the Herkimer County Correctional Facility with active pulmonary tuberculosis at the Bassett Healthcare Herkimer location; and

WHEREAS, your Committees have considered said request and find said agreement to be in the best interest of the County of Herkimer; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a renewal for a three year period commencing January 1, 2013, of an agreement with Mary Imogene Bassett Hospital, One Atwell Road, Cooperstown, New York, for the examination, evaluation and where appropriate, treatment on an inpatient basis, at the Bassett Healthcare Herkimer location, of inmates from the Herkimer County Correctional Facility with active pulmonary tuberculosis; and, be it further

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

Dated: January 9, 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  
KURT J. ACKERMAN  
**Committee on Ways and Means**

On motion of Mr. Russell, seconded by Mr. Peplinski and Mr. Ackerman, Report and Resolution No. 6 of the Committee on Committee on Ways and Means for extension of temporary position in the Herkimer County Treasurer's Office was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Johnson, Hendrix, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 6

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS FOR EXTENSION OF TEMPORARY POSITION IN COUNTY TREASURER'S DEPARTMENT**

WHEREAS, by Resolution No. 186 adopted August 15, 2012, this Legislature authorized a temporary position to complete necessary training in the County Treasurer's Office at the rate of \$21.10 per hour, not to exceed 150 hours for 2012; and

WHEREAS, by letter dated December 17, 2012, Kimberlee A. Enea, Herkimer County Treasurer, has advised that all of the allotted hours had not been used in 2012 and has requested said position be extended for the year 2013 to complete the training; and

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

RESOLVED, that the temporary position in the Herkimer County Treasurer's Office established pursuant to Resolution No. 186 dated August 15, 2012 be and hereby is extended through June 1, 2013, at the rate of \$21.10 per hour, not to exceed 30 hours; and, be it further

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

Dated: January 9, 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. Smith and Mr. Peplinski, Report and Resolution No. 7 of the Committees on Ways and Means and Human Resources amending 2013 CSEA Salary Schedule III was handed up; voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Johnson, Hendrix, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 7

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON HUMAN RESOURCES AMENDING 2013 A SALARY SCHEDULES I, II AND III**

WHEREAS, by letter dated January 10, 2013, JoAnn Boyer, Director of Information Services, has requested an amendment of 2013 Salary Schedule III, retroactive to January 1, 2013, to delete the position of Senior Microcomputer Specialist and establish said position part time Associate network Administrator in the Information Services Department; now, therefore, be it

WHEREAS, by letters dated January 17, 2013, Christina Cain, Acting Director of Public Health, has requested an amendment in the 2013 Salary Schedules I, II and III, retroactive to February 1, 2013, to make certain staffing adjustments in the Public Health Nursing Programs; now, therefore, be it

RESOLVED, that 2013 Herkimer County Salary Schedule I is hereby amended, effective February 1, 2013, to delete the position of Director of Patient Services in Account A4010, Public Health Nursing; and, be it further

RESOLVED, that the 2013 Herkimer County Salary Schedule II is hereby amended to delete the position of Supervisor of Program for Children with Special Health Care Needs in Account A4059, Early Intervention; and, be it further

RESOLVED, that the 2013 Herkimer County Salary Schedule III is hereby amended as follows:

1. Delete the position of Part-time Senior Microcomputer Specialist (.56) at the base salary of \$20,000 and establish the position of
2. Delete Account A6778, Aging, WRAP and the position of (1) Aging Services Assistant in said account and establish Account A6777, Aging, HEAP and under said account establish (1) Aging Services Assistant position in Account A6777, at the base annual salary of \$28,326;
3. The aforesaid changes shall be retroactive to January 1, 2013; and, be it further

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

Dated: January 9, 2013.

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

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. Peplinski, seconded by Mr. Johnson and Mr. Ackerman, Report and Resolution No. 8 of the Committee on County Planning and Development in connection with Herkimer County Industrial Development Agency Proposed Project was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 8

**REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PLANNING AND DEVELOPMENT IN CONNECTION WITH HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY PROPOSED PROJECT**

WHEREAS, the Herkimer County Industrial Development Agency has advised that it has received a request from Price Chopper Operating Company, Inc. to provide financial assistance in the form a straight lease arrangement in connection with the construction and/or equipping of its commercial facility located at 555 East Main Street. Little Falls, County of Herkimer, New York, and that a public hearing was held on December 14, 2012 in connection with the project; and

WHEREAS, by letter dated December 14, 2012, from Mark D. Feane, Executive Director of the Herkimer County Industrial Development Agency, this Legislature is advised of a request for authorization for the Chairman of the Legislature to confirm the findings of the IDA in connection with the proposed project; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to confirm the findings of the Herkimer County Industrial Development Agency in connection with the proposed Price Chopper Operating Company, Inc. project as follows:

- (i) The predominant purpose of the project is to continue to make available goods or services which would not be, but for the project, reasonably accessible to the residents of the municipality where the project is located.
- (ii) The project will create permanent, private sector jobs in the State.
- (iii) That the project was strongly endorsed at the public hearing held within the municipality.

And, be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Executive Director of the Herkimer County Industrial Development Agency.

Dated: January 9, 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. Smith, seconded by Mr. Shaw and Mr. Hendrix, Report and Resolution No. 9 of the Committee on Ways and Means and the Committee on Human Resources authorizing contract for coordination and provision of Non-Emergency Medicaid Transportation services was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 9

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING A CONTRACT FOR COORDINATION AND PROVISION OF NON-EMERGENCY MEDICAID TRANSPORTATION**

WHEREAS, the Herkimer County Budget Officer and Purchasing Agent has advised by letter dated January 2, 2013 that on December 10, 2012 bids were received, opened and read in accordance with

law for the provision of non-emergency Medicaid transportation for the Herkimer County Department of Social Services; and

WHEREAS, the Budget Officer and Purchasing Agent has advised that the only bid received was from Birnie Bus Services, Inc., to provide said service at a cost of \$67,000 per month commencing February 1, 2013, with said award to be on a month-to-month basis until New York State takes over full operation of this responsibility; and

WHEREAS, by letter dated December 11, 2012, Timothy Seymour, Commissioner of Social Services, advises that he has reviewed this matter and recommends said contract be awarded to Birnie Bus Services, Inc. until such date that the administration and execution of this services is taken over by the New York State Department of Health or other designated agency.; now, therefore, be it

RESOLVED, that a contract to coordinate and provide non-emergency Medicaid transportation for the County of Herkimer be awarded to Birnie Bus Services, Inc., P.O. Box 630, Rome, NY 13442-0630, to provide said service at a cost of \$67,000 per month commencing February 1, 2013, with said award to be on a month-to-month basis until New York State takes over full operation of this responsibility; and, be it further

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute a contract on behalf of the County, subject to 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, Commissioner of Social Services and Birnie Bus Services/Tours, Inc.

Dated: January 9, 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**

On motion of Mr. Hendrix, seconded by Mr. Peplinski, Report and Resolution No. 10 of the Committee on Public Safety/Emergency Management and the Committee on Ways and Means approving amendment to court security contract was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 10

**REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND  
EMERGENCY MANAGEMENT APPROVING AMENDMENT TO COURT SECURITY  
CONTRACT**

WHEREAS, by Resolution No. 11 adopted on January 20, 2011, this Legislature authorized a five year contract with the New York State Office of Court Administration to obtain reimbursement for expenses incurred in providing court security; and

WHEREAS, said contract provides for renegotiations of the maximum reimbursement amount on an annual basis; and

WHEREAS, this Legislature has been advised by Sheriff Christopher P. Farber by letter dated December 12, 2012, that the Office of Court Administration has submitted an amendment of said contract covering the period from April 1, 2012 through March 31, 2013, with the maximum reimbursement not to exceed \$51,500; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a Court Security Contract Amendment with the Office of Court Administration for the period from April 1, 2012 through March 31, 2013, with the maximum reimbursement not to exceed \$51,500; and, be it further

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

Dated: January 9, 2013.

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

On motion of Mr. Weakley, seconded by Mr. Ackerman, Report and Resolution No. 11 of the Committee on Ways and Means authorizing cancellation of contract with the City of Little Falls for assessment services was handed up; Mr. Russell requested a roll call vote; was voted on and adopted by roll call vote:

For: Hartman, Rose, Schrader, Johnson, Hendrix, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 11

**RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CANCELLATION OF CONTRACT WITH THE CITY OF LITTLE FALLS FOR ASSESSMENT SERVICES**

WHEREAS, by Resolution No. 204 dated September 12, 2012, the Herkimer County Legislature authorized the extension of a contract to provide assessment services to the City of Little Falls, with the term of that extension to be January 1, 2013 to December 31, 2013; and

WHEREAS, the Common Council of the City of Little Falls has adopted Resolution No. 11 dated January 8, 2013, indicating that it seeks to cancel the above described agreement with the County of Herkimer for assessment services and further indicates that it has approved the appointment of a part-time employee of the City of Little Falls to provide assessment services; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby cancels the above described agreement with the City of Little Falls for assessment services effective immediately; 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: January 9, 2013.

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

On motion of Mr. Peplinski, seconded by Mr. Johnson Resolution No. 12 of the designating the official newspapers of the County was handed up; discussion was held; was voted on and adopted by voice vote:

For: All ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 12

**RESOLUTION THAT THE HERKIMER TELEGRAM AND THE LITTLE FALLS TIMES BE DESIGNATED THE OFFICIAL NEWSPAPERS OF THE COUNTY OF HERKIMER FOR THE YEAR 2013**

RESOLVED, that this Legislature names the Herkimer Telegram of Herkimer, New York, and the Little Falls Times of Little Falls, New York, as the official newspapers of the County of Herkimer, and that those papers have published therein all legal notices, local laws and other matters required to be published.

Dated: January 9, 2013.

On motion of Mr. Shaw, seconded by Mr. Weakley, Resolution No. 13 of the Committee on Natural Resources authorizing the Chairman of the Legislature to sign and establish dog quarantine for 2013 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Maneen, Hyde (2).

No. 13

**RESOLUTION OF THE COMMITTEE ON NATURAL RESOURCES AUTHORIZING CHAIRMAN OF THE LEGISLATURE TO SIGN AND ESTABLISH DOG QUARANTINE FOR 2013**

WHEREAS, the deer population in the County of Herkimer may suffer depredation due to dogs attacking, chasing and worrying deer; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby determines that the deer population in the County of Herkimer is suffering depredation due to dogs attacking, chasing and worrying deer;

2. That pursuant to Section 122 of the Agriculture and Markets Law of the State of New York, the Herkimer County Legislature hereby authorizes the Chairman of the County Legislature to sign an Order requiring that all dogs in the County of Herkimer shall be securely confined during the period of time designated in the Order or until such time as the Order is revoked;

3. That notice of such Order shall be given by publication in the Herkimer Telegram, and the Little Falls Times, and by filing a copy of said Order in the office of each town clerk in the area affected by such Order;

4. That such Order shall be in full force and effect at the expiration of twenty four hours following publication of such order.

5. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and each town clerk in the area affected by said Order.

Dated: January 9, 2013.

FREDERICK J. SHAW, JR.  
DENNIS KORCE  
JEAN E. MANEEN  
PETER F. MANNO  
ROBERT N. HYDE  
JOHN L. BREZINSKI  
**Committee on Natural Resources**

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Dennis Korce, Helen Rose, Patrick Russell, Frederick Shaw, Raymond Smith.

On 2:45 p.m. on motion of Mr. Manno, seconded by Mr. Shaw, the Legislature adjourned to Wednesday, January 23, 2013 at 7:30 p.m.