

**SPECIAL SESSION**  
**Herkimer County Legislature**  
**Monday, December 30, 2013**  
**9:30 a.m.**

The Special Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 9:30 a.m.

Caitlin and Alison Russell led the Legislature in the Pledge of Allegiance.

Chairman Bono requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County.

The Clerk called the roll, the following answered:

Present: Rose, Schrader, Maneen, Johnson, Hendrix, Hyde, Manno, Smith, Bono, Peplinski, Korce, Russell, Shaw (13).

Absent: Hartman, Brezinski, Ackerman, Weakley (4).

Quorum present.

The Clerk read the Notice of the Special Session.

On motion of Mr. Russell, seconded by Mr. Peplinski, Resolution No. 331 of the Committees on Human Resources, County Properties and Ways and Means regarding sale of Country Manor was handed up; discussion was held; Chairman Bono made a motion, seconded by Mr. Russell, to amend the Resolution to add an additional Resolved Clause as follows: "RESOLVED, that, upon the withdrawal of the lawsuit by the CSEA by January 15, 2014, the Chairman of this Legislature is hereby authorized to sign an agreement extending the time to close said sale to July 15, 2014, and that in all other respects, said contract shall remain in full force and effect". The amendment was voted on and adopted by voice vote:

For: Ayes (12)

Against: Rose (1).      Absent: Hartman, Brezinski, Ackerman, Weakley (4).

Mrs. Rose made a motion, seconded by Mr. Schrader, to amend the Resolution to add at the end of the Second Resolved Clause "to direct the Commissioner of Social Services to be looking at placement in Herkimer County". The amendment was defeated by roll call vote:

For: Rose, Schrader (2).

Against: Maneen, Johnson, Hendrix, Hyde, Manno, Smith, Bono, Peplinski, Korce, Russell, Shaw (11).

Absent: Hartman, Brezinski, Ackerman, Weakley (4).

The resolution as amended was voted on and adopted by roll call vote:

For: Schrader, Maneen, Johnson, Hendrix, Hyde, Manno, Smith, Bono, Peplinski, Korce, Russell, Shaw (12).

Against: Rose (1).

Absent: Hartman, Brezinski, Ackerman, Weakley (4).

No. 331

**RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES, COUNTY PROPERTIES AND WAYS AND MEANS REGARDING SALE OF COUNTRY MANOR**

WHEREAS, by Resolution No. 327 adopted on December 11, 2013, this Legislature exercised its right to terminate the agreement for the sale of the Country Manor to Advanced Healthcare Management, LLC, effective December 27, 2013; and

WHEREAS, since that time the County has been advised that Advanced Healthcare, LLC has reached an agreement with CSEA, whereby the CSEA would withdraw its lawsuit which has attempted to block that sale; now, therefore, be it

RESOLVED, that if the CSEA takes all necessary steps to withdraw its lawsuit against Herkimer County related to the sale of Country Manor premises by no later than January 15, 2014, then Resolution No. 327 of 2013 shall be rescinded, and the County shall authorize the extension of the final date to close the sale to July 15, 2014; and, be it further

RESOLVED, that if the CSEA does not withdraw its lawsuit by that date, Resolution No. 327 adopted on December 11, 2013 shall remain in effect and the Country Manor shall be closed, with the County to take all necessary steps to arrange for state approval of a closure plan which shall address future residential arrangements for current residents of the Country Manor; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Commissioner of Social Services, Advanced Healthcare Management LLC and the Civil Service Employees Association, Inc., Local 1000.

Dated: December 30, 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, SR.  
KURT J. ACKERMAN  
Committee on Ways and Means

DENNIS KORCE  
BRUCE WEAKLEY  
ROBERT N. HYDE  
KURT J. ACKERMAN  
RAYMOND JOHNSON  
ROBERT J. SCHRADER  
Committee on County Properties

Amended: December 30, 2013.

Amendment: Add an additional Resolved Clause as follows: “RESOLVED, that, upon the withdrawal of the lawsuit by the CSEA by January 15, 2014, the Chairman of this Legislature is hereby authorized to sign an agreement extending the time to close said sale to July 15, 2014, and that in all other respects, said contract shall remain in full force and effect”.

On motion of Mr. Hyde, seconded by Mr. Manno, this Special Session of the Herkimer County Legislature was adjourned at 10:00 a.m.