

MINUTES
Herkimer County Legislature
Fourth Quarter – First Day
Wednesday, September 15, 2010
7:30 p.m.

This Session of the Herkimer County Legislature was called to order by Chairman Raymond Smith at 7:35 p.m.

Chairman Smith called on Sheriff Christopher Farber, to lead the Legislature in the Pledge of Allegiance.

Roll Call: Quorum present, the following answering the roll:

Present: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Absent: None.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Smith asked if there were any objections or corrections to the minutes of August 11, 2010. Being none, the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Smith opened the floor for public comment. The following individuals spoke at the public comment: JoAnn LeClair, Joseph Chilelli

Chairman Smith stated that the communications received by the Legislature and the committees to which they were referred were listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. There were no requests.

No. 306 – A communication was received from Assemblyman Butler acknowledging receipt of a resolution. Ordered filed.

No. 307 – A communication was received from Governor Paterson acknowledging receipt of resolutions. Ordered filed.

No. 308 – A communication was received from the Sheriff submitting the monthly report for July. Referred to the committee on Public Safety and Emergency Management.

No. 309 – A communication was received from the County Clerk submitting her Annual Report for 2009. Referred to the Committee on Administration/Veterans' Affairs.

No. 310 – A communication was received from the County Treasurer submitting audit report for year ended December 2009. Ordered filed.

No. 311 – A communication was received from Senator Seward acknowledging receipt of resolutions. Ordered filed.

No. 312 – A communication was received from the Office of Probation and Correctional Alternatives concerning Leandra's Law. Ordered filed.

No. 313 – A communication was received from the County Property Agent submitting bids for tax acquired parcels. Referred to the Committee on County Properties.

No. 314 – A communication was received from the Sheriff requesting renewal of agreement for legal research agreement for Correctional Facility. Referred to the committee on Public Safety and Emergency Management.

No. 315 – A communication was received from the Director of Probation requesting execution of Alternatives to Incarceration contracts. Referred to the Committee on Public Safety and Emergency Management.

No. 316 – A communication was received from the Budget Officer submitting request for a budget amendment in Employment & Training Administration. Referred to the Committee on Ways and Means and the Committee on County Planning and Development.

No. 317 – A communication was received from the Director of Public Health requesting contract for Special Health Care Needs Program. Referred to the Committee on Human Resource and the Committee on Ways and Means.

No. 318 – A communication was received from the Executive Director of HealthNet requesting approval of reduction of Rural Health Development Grant. Referred to the committee on Human Resources and the Committee on Ways and Means.

No. 319 – A communication was received from the Director of Real Property Tax Services requesting renewal of data collection contract with Town of Salisbury. Referred to the Committee on Ways and Means.

No. 320 – A communication was received from the Director of Real Property Tax Services submitting state board established equalization rates. Referred to the Committee on Ways and Means.

No. 321 – A communication was received the Soil and Water Conservation District submitting the minutes of 8/10/10. Ordered filed.

No. 322 – A communication was received from the Village of Herkimer submitting counter offer on provision of sewer services to proposed new County Correctional Facility. Referred to the Committee on Public Safety/Emergency Management.

No. 323 – A communication was received from the Director of Community Services submitting August activities update. Ordered filed.

No. 324 – A communication was received from Assemblyman Butler acknowledging receipt of a resolution. Ordered filed.

No. 325 – A communication was received from the New York State Association of Counties acknowledging receipt of resolutions. Ordered filed.

No. 326 – A communication was received from the Director of Public Health requesting authorization for payment of additional costs for on-line scheduling services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 327 – A communication was received from the Personnel Officer requesting renewal of agreement with Slocum Dickson Medical Group for pre-employment physicals for county employees. Referred to the Committee on Ways and Means.

No. 328 – A communication was received from ProAct, Inc. submitting the Drug Discount Card Report for August. Ordered filed.

No. 329 – A communication was received from the Herkimer County Sewer District requesting approval of a resolution. Referred to the committees on Natural Resources and Ways and Means.

No. 330 – A communication was received from the Budget Officer concerning bids for asbestos abatement and carpet replacement. Referred to the Committee on County Properties.

No. 331 – A communication was received from the Director of Public Health requesting a staffing change. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 332 – A communication was received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 333 – A communication was received from the Sheriff requesting approval of rental agreement for storage of equipment. Referred to the Committee on Public Safety and Emergency Management.

No. 334 – A communication was received from the Sheriff requesting authorization for payment of Medicaid rates for medical and dental expenses for inmates. Referred to the Committee on Public Safety and Emergency Management and the Committee on Human Resources.

No. 335 – A communication was received from the County Administrator requesting approval of continuation of contract with IDA for administration of Empire Zone Program. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 336 – A communication was received from the Director of Public Health requesting amendment of contract with HMO. Referred to the Committee on Human Resources.

No. 337 – A communication was received from the County Administrator submitting request for participation with Chamber of Commerce in production of tourism brochure. Referred to the Committee on Ways and Means.

On motion of Mr. Hendrix, seconded by Mr. Bono, Report and Resolution N. 232 of the Committee on Public Safety and Emergency Management approving monthly report of the Sheriff was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 232

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

WHEREAS, your Public Safety & Emergency Management Committee, to which was referred the report of the Sheriff for the month of July, 2010 respectfully reports that we have examined said report, recommend that it be approved and offer the following Resolution:

RESOLVED, that the report of the Herkimer County Sheriff for the month of July, 2010, which report reflects an average daily population of 61.17 inmates, with an average of 30.87 inmates being boarded out in July, be approved and filed.

Dated: September 15, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE

DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 233 of the Committee on Ways and Means fixing percentages which the assessed valuation of the real property bear to the full or true valuation of the various towns of the County and the City of Little Falls was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 233

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
FIXING PERCENTAGES WHICH THE ASSESSED VALUATION OF THE REAL
PROPERTY BEAR TO THE FULL OR TRUE VALUATION OF THE VARIOUS
TOWNS OF THE COUNTY AND THE CITY OF LITTLE FALLS**

WHEREAS, your Committee on Finance, to which was referred the communication from the Director of Real Property Tax Services, submitting the State Board established Herkimer County Equalization Rates to be used in the apportionment of the 2011 Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law, do respectfully report that we have examined said report and offer the following Resolution:

RESOLVED, that pursuant to Title 2 of Article 8 of the Real Property Tax Law the ratio of percentage which the assessed valuation of real property in each district bears to its full value is hereby established as follows:

County Equalization Rates for the 2010 Assessment Rolls
for Municipalities in the County of Herkimer

City of Little Falls	21.00
Town of Columbia	95.00
Town of Danube	97.00
Town of Fairfield	82.00
Town of Frankfort	75.00
Town of German Flatts	73.50
Town of Herkimer	94.00
Town of Litchfield	95.00
Town of Little Falls	66.05
Town of Manheim	70.00
Town of Newport	108.53
Town of Norway	72.50
Town of Ohio	5.88
Town of Russia	100.00

Town of Salisbury	100.00
Town of Schuyler	92.00
Town of Stark	65.00
Town of Warren	70.20
Town of Webb	82.00
Town of Winfield	95.00

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Director of Real Property Tax Services and each town and the City of Little Falls.

Dated: September 15, 2010.

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. Hendrix, seconded by Mr. Bono and Mr. Peplinski, Report and Resolution No. 234 of the Committee on Public Safety and Emergency Management authorizing execution of Alternatives to Incarceration contracts was handed up; debate was held, was voted on and adopted by voice vote:

For: Ayes (16).

Against: Rose (1).

Absent: None.

No. 234

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AUTHORIZING EXECUTION OF ALTERNATIVES TO INCARCERATION CONTRACTS

WHEREAS, by communication dated August 20, 2010 from Josephine Sohn, Director of Probation, advises that funding for the five year Herkimer County Alternatives to Incarceration Contract and the 2010 annual contract for the Pre-Trial Release and Community Service Programs have received a decrease of 10% in funding from the amended 2009 allocation and requests authorization for the Chairman of the Legislature to execute said contracts; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the modified agreement to the Alternatives to Incarceration contract for the period January 1, 2006 to December 31, 2010, which has been modified from \$84,984 to \$76,485; and the annual contract for the Pre-Trail Release and Community Services Programs for the period January 1, 2010 through December 31, 2010, which has been modified from \$15,792 to \$14,213; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Probation and the New York State Division of Probation and Correctional Alternatives.

Dated: September 15, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Hendrix, seconded by Mr. Bono and Mr. Peplinski, Report and Resolution No. 235 of the Committee on Ways and Means authorizing extension of contract with the Town of Salisbury for the County to provide data collection services was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 235

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
AUTHORIZING EXTENSION OF CONTRACT WITH THE TOWN OF SALISBURY
FOR THE COUNTY TO PROVIDE DATA COLLECTION SERVICES**

WHEREAS, by Resolution No. 164 of 2003 this Legislature approved a contract with the Town of Salisbury whereby the County would provide data collection to the Town of Salisbury for a period of one year for the sums as outlined in said Resolution, which resolution was amended and extended for additional one year periods; and

WHEREAS, by letter dated August 17, 2010, Mary Ann Barbuto, Director of the Real Property Tax Service Agency, has requested said contract be extended for an additional one year period; and

WHEREAS, it is the opinion of your Committee that it is to the mutual benefit of the County of Herkimer and the Town of Salisbury for the County of Herkimer to continue to provide said data collection services to the Town; now, therefore, be it

RESOLVED, as follows:

1. The County of Herkimer is authorized to provide data collection services to the Town of Salisbury for the period June 18, 2010 through June 18, 2011 on the number of parcels to be designated by the Town for the sum of \$10.00 per parcel for Agricultural, Residential, Vacant and Public Service parcels; a cost of \$32.00 per parcel for Commercial, Recreation, Community Service, Industrial and Forest and Public Parks parcels. Trailer parks shall be charged as one parcel if the park owner provides the inventory of trailers in the park. In the event that the Data Collector must collect such information, the charge shall be \$3.00 per site. The County shall be further entitled to mileage each year.

2. The Chairman of this Legislature is authorized to enter into an extension and modification of said agreement with the Town of Salisbury for the period from June 18, 2010 to June 18, 2011 with the final form of said contract to be subject to the approval of the County Attorney;

3. Certified copies of this Resolution shall be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Real Property Tax Services and the Town of Salisbury.

Dated: September 15, 2010.

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. Bono, seconded by Mr. Ackerman and Mrs. Maneen, Report and Resolution No. 236 of the Committee on Human Resources and the Committee on Ways and Means authorizing contract with State of New York for funding for Children with Special Health Care Needs Program was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 236

**REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES
AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING CONTRACT
WITH THE STATE OF NEW YORK FOR FUNDING FOR CHILDREN WITH
SPECIAL HEALTH CARE NEEDS PROGRAM**

WHEREAS, by letter dated August 9, 2010 from Gregory O'Keefe, MD, Director of Public Health, this Legislature is advised that the New York State Department of Health has submitted contracts providing for the renewal of the Children with Special Health Care Needs grant in the total amount of \$18,329.00; and

WHEREAS, said agreement shall be effective for the term October 1, 2010 through September 30, 2011; and

WHEREAS, the County of Herkimer has qualified personnel, facilities and expertise to provide the services required under the terms of the agreement; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute said contract in form prepared by the State of New York, on behalf of the County of Herkimer for a Children with Special Health Care Needs Program grant in the amount of \$18,329.00, with said grant to be for the period October 1, 2010 through September 30, 2011; and, be it further

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

Dated: September 15, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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. Weakley, seconded by Mr. Peplinski and Mr. Korce, Report and Resolution No. 237 of the Committee on County Properties approving sale of parcels acquired by In Rem Tax Foreclosures was handed up; debate was held; was voted on and adopted by voice vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 237

REPORT AND RESOLUTION OF THE COMMITTEE ON COUNTY PROPERTIES APPROVING SALE OF PARCELS ACQUIRED BY IN REM TAX FORECLOSURES

WHEREAS, by judgment of the Herkimer County Court filed and entered March 31, 2010 in the In Rem Tax Foreclosure Action for the year 2008 the County of Herkimer acquired title to certain parcels of property; and

WHEREAS, this Legislature has been advised that offers have been received for the parcels of property listed below; and

WHEREAS, your Committee has considered the offers, recommends their acceptance and offers the following Resolution:

RESOLVED, that the offers for the following listed parcels of land in the amounts listed be, and hereby are, accepted and the County Attorney's Office is hereby directed to prepare the usual deed of conveyance for said property to be delivered to the purchasers upon receipt by the County Treasurer of the offered sum, plus recording and transfer fees:

<u>Parcel</u>	<u>Purchaser</u>	<u>Offer</u>
City of Little Falls Tax Map No. 114.75-2-30 325 W. Main St.	Richard H. Steele 35 Columbia Street Mohawk, NY 13407	\$ 1,250.00
Town of German Flatts Tax Map No. 119.44-6-21 6 Grove St., Ilion	Gary Sickler 7323 West St. Poland, NY 13431	\$43,511.00

Town of Litchfield Tax Map No. 131.30-1-6 Elizabethtown Road, rural lot	Robert J. Trevor 149 Elizabethtown Road Ilion, NY 13357	\$ 101.00
Town of Stark Tax Map No. 134.3-1-7 691 Travis Road	Ronald & Audrey Fountain 354 N. Gage Rd. Poland, NY 13431	\$ 3,100.00
Town of Winfield Tax Map No. 130.4-1-12 102 Marriott Road	Scott Byard 37 W. River St. Ilion, NY 13357	\$ 5,013.00

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized, upon receipt by the County Treasurer of the aforesaid sums, plus recording fees, to execute said deeds transferring said properties; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, County Attorney and above listed purchasers.

Dated: September 15, 2010.

BRUCE WEAKLEY
JOHN J. PISECK, JR.
VINCENT J. BONO
JEAN E. MANEEN
JEFFREY M. STONE
KURT J. ACKERMAN
Committee on County Properties

On motion of Mr. Hendrix, seconded by Mr. Hyde, Report and Resolution No. 238 of the Committee on Public Safety/Emergency Management Committee and the Committee on Ways and Means authorizing legal research system for Correctional Facility was handed up; debate was held; Mr. Hendrix made a motion, seconded by Mr. Peplinski and Mr. Stone, to amend the resolution as follows: To add an additional Resolved Clause as follows: RESOLVED, that said contract shall be for the amounts as listed:

10/1/10-9/30/11 - \$589/mo.

10/1/11-0/30/12 - \$608/mo.

10/1/12-9/30/13 - \$626/mo.

The amendment was voted on and approved by voice vote:

For All Ayes: (17).

Against: None.

Absent: None.

The resolution as amended was voted on and approved by voice vote:

For All Ayes: (17).

Against: None.

Absent: None.

No. 238

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS AUTHORIZING LEGAL RESEARCH SYSTEM FOR HERKIMER COUNTY CORRECTIONAL FACILITY

WHEREAS, by Resolution No. 237 of 2007 this Legislature authorized a contract with Lexis Nexis/Matthew Bender & Company to provide state mandated legal materials and access to legal research as per the New York State Minimum Standards; and

WHEREAS, by letter dated August 11, 2010 from Christopher P. Farber, Herkimer County Sheriff, a request is being made to renew the agreement with Lexis Nexis/Matthew Bender & Company to provide state mandated legal materials and access to legal research as per the New York State Minimum Standards for an additional 3 year period; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute necessary documents to contract with Lexis Nexis/Matthew Bender & Company, P.O. Box 7247-0178, Philadelphia, PA 19170, to provide state mandated legal materials and access to legal research as per the New York State Minimum Standards for an additional 3 year period commencing October 1, 2010, with said contract to be subject to approval by 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, Sheriff and Lexis Nexis/Matthew Bender & Company.

Dated: September 15, 2010.

Amended: September 15, 2010

Amendment: To add an additional Resolved Clause

As follows: "RESOLVED, that said contract shall

Be for the amounts as listed:

10/1/10-9/30/11 - \$589/mo.

10/1/11-9/30/12 - \$608/mo.

10/1/12-9/30/13 - \$626.00/mo.

LEONARD R. HENDRIX

VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
Committee on Public Safety/Emergency
Management

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

On motion of Mr. Russell, seconded by Mr. Bono and Mr. Shaw, Report and Resolution No. 239 of the Committee on Ways and Means and the Committee on County Planning and Development amending budget in connection with funding in Employment and Training was handed up; debate was held; was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 239

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS & MEANS AND THE
COMMITTEE ON COUNTY PLANNING & DEVELOPMENT AMENDING BUDGET
IN CONNECTION WITH FUNDING IN EMPLOYMENT AND TRAINING**

WHEREAS, by letter dated September 10 , 2010 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2010 Budget in connection with 2009 ARRA (American Recovery and Reinvestment Act) funding received; now, therefore be it

RESOLVED, that the 2010 Herkimer County Budget is hereby amended as follows:

<u>Revenue</u>	<u>From</u>	<u>To</u>
CD6330-4794a ETA Dislocated Worker	\$-0-	\$36,000.00
<u>Appropriation</u>		
CD6330.46000-683CRT	\$ 99,562.98	\$119,562.98

CD6330.46000-712 OJT

\$28,136.06

\$ 44,136.06

and, be it further

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

Dated: September 15, 2010.

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

JOHN J. PISECK, JR.
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD Z. PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
KURT J. ACKERMAN
Committee on County Planning & Development

On motion of Mr. Russell, seconded by Mr. Peplinski, Report and Resolution No. 240 of the Committee on Ways and Means transferring funds was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 240

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

WHEREAS, your Committee on Ways & Means, to which was referred a communication from the Budget Officer and Purchasing Agent dated September 2010 submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said transfer 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:

\$1,312.00	From: A4189I.10000-002 PHNS; ARRA Imm. Grant-OT To: A4189I.10000-220 PHNS; ARRA Imm. Grant-Comp. Equip
\$5,788.00	From: A4189I.10000-002 PHNS; ARRA Imm. Grant-OT To: A4189I.25000 PHNS; ARRA Imm. Grant- Other Equip
\$1,642.00	From: A4189I.46000 PHNS; ARRA Imm. Grant-Misc. To: A4189I.25000 PHNS; ARRA Imm. Grant- Other Equip
\$ 240.00	From: A4189I.81000 PHNS; ARRA Imm. Grant-Retirement To: A4189I.44000-521PHNS; ARRA Imm. Grt- Cont. Svc.,Rent
\$ 130.00	From: A4189I.83000 PHNS; ARRA Imm. Grant- Soc. Security To: A4189I.44000-521PHNS; ARRA Imm. Grt- Rent
\$ 30.00	From: A4189I.83500 PHNS; ARRA Imm. Grant- Medicare To: A4189I.44000-521PHNS; ARRA Imm. Grt- Rent
\$9,993.00	From: A3110A.42100 Sheriff- Homeland Sec. Grant (2007)-Tele. To: A3110A.25000 Sheriff- Homeland Sec. Grant (2007)- Equ.
\$1,200.00	From: A4059-10000-001 Early Intervention – Salaries To: A4059.44000 Early Intervention- Contracted Services

And, be it further,

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

Dated: September 15, 2010.

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

On motion of Mr. Russell, seconded by Mr. Peplinski and Mr. Shaw, Report and Resolution No. 241 of the Committees on Ways and Means concerning contract for pre-employment physicals was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 241

**REPORT AND RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS
CONCERNING CONTRACT FOR PRE-EMPLOYMENT PHYSICALS**

WHEREAS, by Resolution No. 313 of 2004 this Legislature authorized a contract with Slocum Dickson Medical Group to perform pre-employment physicals on all prospective employees of the County of Herkimer, which contract was extended by Resolution No. 241 of 2006; and

WHEREAS, by letter dated September 8, 2010 from Steven R. Billings, Personnel Associate, this Legislature is advised of a request to continue said agreement for a period of three years at a rate of \$65.00 per exam to be paid by the County; now, therefore, be it

RESOLVED, that a contract be entered into with Slocum Dickson Medical Group, 1929 Burrstone Road, New Hartford, to perform pre-employment physicals on all prospective Herkimer County employees at rate of \$65.00 per exam to be paid by the County, with said agreement to be for a period of three years from the date of execution by both parties; and, be it further

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

Dated: September 15, 2010.

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. Piseck, seconded by Mr. Shaw, Report and Resolution No. 242 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing contract with Herkimer County Industrial Development Agency in connection with the operation of the Empire Zone Program was handed up; debate was held; Mrs. Rose made a motion to amend the resolution offered an amendment, seconded by Mr. Brezinski, to delete the wording "with additional funding from New York State". The amendment was voted on and adopted by voice vote:

For: Ayes (14).

Against: Hendrix, Bono, Peplinski (3).

Absent: None.

After additional debate, Mr. Peplinski moved the motion, seconded by Mr. Stone, the motion was approved by voice vote:

For: All ayes (17).

Against: None.

The resolution, as amended, was voted on and adopted by voice vote:

For: Ayes (16).

Against: Rose (1).

Absent: None.

No. 242

REPORT AND RESOLUTION OF THE COMMITTEES ON COUNTY PLANNING & DEVELOPMENT AND WAYS & MEANS AUTHORIZING CONTRACT WITH HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH THE OPERATION OF THE EMPIRE ZONE PROGRAM

WHEREAS, pursuant to Local Law No. 5 for the year 2005, the County of Herkimer made application for re-designation of certain areas with the County of Herkimer as an Empire Zone; and

WHEREAS, by Resolutions No. 107 of 2006 and 29 of 2009, this Legislature entered into a contract with the Herkimer County Industrial Development Agency in connection with the operation of said Empire Zone Program; and

WHEREAS, by letter dated September 10, 2010, James W. Wallace, Jr., Chairman of the Empire Zone Board has requested to continue the contract with the Herkimer County Industrial Development Agency to allow for said Agency to administer the Herkimer County Empire Zone Program for the period from July 1, 2010 to December 31, 2010, which will be funded with \$22,500 from Herkimer County, with additional funding from New York State; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with the Herkimer County Industrial Development Agency to allow for said Agency to administer the Herkimer County Empire Zone Program for the period from July 1, 2010 to December 31, 2010, which will be funded with \$22,500 from Herkimer County, with additional funding from New York State, 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, County Administrator and Herkimer County IDA.

Dated: September 15, 2010.

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

JOHN J. PISECK, JR.
VINCENT J. BONO
PATRICK E. RUSSELL
BERNARD Z. PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
KURT J. ACKERMAN
Committee on County Planning & Development

On motion of Mr. Bono, seconded by Mr. Peplinski, Report and Resolution No. 243 of the Committee on Human Resources and the Committee on Ways and Means authorizing increase in contract cost for on-line scheduling service in Public Health Nursing Service was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 243

REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS & MEANS AUTHORIZING INCREASE IN CONTRACT COST FOR ON-LINE SCHEDULING SERVICE IN PUBLIC HEALTH NURSING SERVICE

WHEREAS, by Resolution No. 305 of 2009, this Legislature authorized a professional services contract with ACC Technical Services, Inc. of Syracuse, New York to provide on-line scheduling services for the many clinics offered by the Herkimer County Public Health Nursing Service; and

WHEREAS, by letter dated August 26, 2010, your committees have been advised the cost for such services now include a \$1,200 annual hosting fee; and

WHEREAS, the costs and fees for said program will be provided through the Bioterrorism and Disaster Planning grant; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute a contract with ACC Technical Services, Inc., 106 Dwight Park Circle, Syracuse, New York 13209, which contract shall include a \$1,200 annual hosting fee in addition to previous charges in said contract through 1/1/2014; and be it further

RESOLVED, that said program shall continue so long as 100% funded through the Bioterrorism grant and that said contract be subject to the approval of the County Attorney; and be it further

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

Dated: September 15, 2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO

LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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

On motion of Mr. Bono, seconded by Mrs. Maneen, Report and Resolution No. 244 of the Committee on Human Resources and the Committee on Ways and Means in connection with reduction in funding for Herkimer County HealthNet was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 244

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES AND THE COMMITTEE ON WAYS AND MEANS IN CONNECTION WITH REDUCTION IN FUNDING FOR HERKIMER COUNTY HEALTHNET

WHEREAS, by letter dated August 9, 2010 from Phyllis Spinner, Executive Director of the Herkimer County HealthNet, Inc., this Legislature is advised that the Office of Rural Health has advised of a reduction in funding in the amount of \$3,475.00 for the Rural Health Development contract and requests authorization for the Chairman of the Legislature to execute amended contracts to reflect this change; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute amended contracts in connection with a reduction in funding for the Rural Health Development 2010-2011 Grant; and, be it further

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

VINCENT J. BONO
JOHN J. PISECK
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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. Peplinski, seconded by Mr. Shaw, Report and Resolution No. 245 of the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District resolution authorizing change order on bar screen replacement project for the Herkimer County Sewer District was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 245

REPORT AND RESOLUTION OF THE COMMITTEES ON NATURAL RESOURCES AND WAYS AND MEANS APPROVING SEWER DISTRICT RESOLUTION AUTHORIZING CHANGE ORDER ON BAR SCREEN REPLACEMENT PROJECT FOR THE HERKIMER COUNTY SEWER DISTRICT

WHEREAS, your Committees on Natural Resources and Ways and Means, to which were referred a communication from Keneck Skibinski, Chief Plant Operator of the Herkimer County Sewer district received September 9, 2010, has been advised that the Herkimer County Sewer District Board adopted Resolution No. 10-5 approving a change order (Amendment #3) on the electrical contract for the Sewer District's Bar Screen Replacement Project, for the period

from December 20, 2008 through July 30, 2010, to cover additional services during that period in the amount of \$4,200.00; and

WHEREAS, this Resolution has been forwarded to the Herkimer County Legislature for approval prior to its becoming effective; now, therefore, be it

RESOLVED, that this Legislature hereby approves a resolution duly adopted by the Herkimer County Sewer District, 10-05 adopted on July 21, 2010 approving a change order (Amendment #3) on the electrical contract for the Sewer District's Bar Screen Replacement Project, for the period from December 20, 2008 through July 30, 2010, to cover additional services during that period in the amount of \$4,200.00; and, be it further

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

Dated: September 15, 2010.

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

BERNARD PEPLINSKI, SR.
FREDERICK J. SHAW, JR.
DENNIS KORCE
BRUCE WEAKLEY
PETER F. MANNO
JOHN L. BREZINSKI
Committee on Natural Resources

On motion of Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 246 of the Committees on Human Resources and Ways and Means for staffing change in the Public Health Nursing Service was handed up; there being no debate, was voted on and adopted by roll call vote:

For: Piseck, Rose, Keblish, Maneen, Stone, Hendrix, Hyde, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

No. 246

REPORT AND RESOLUTION OF THE COMMITTEES ON HUMAN RESOURCES AND WAYS AND MEANS FOR STAFFING CHANGE IN PUBLIC HEALTH NURSING SERVICE

WHEREAS, by letter dated August 12, 2010, Gregory O’Keefe, M.D., Director of Public Health has requested a staffing change in the Public Health Nursing Service; and

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

RESOLVED, that the 2010 Herkimer County Salary Schedule is hereby amended in Salary Schedule No. 3 to establish one position of Registered Nurse in Account A4010, Public Health Nurses at the base annual salary set forth for said position; and, be it further

RESOLVED, that the foregoing change shall take effect this date; and, be it further

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

Dated: September 15,2010.

VINCENT J. BONO
JOHN J. PISECK, JR.
JEAN E. MANEEN
PETER F. MANNO
LEONARD R. HENDRIX
PATRICK E. RUSSELL
Committee on Human Resources

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. Weakley, Report and Resolution No. 247 of the Committee on County Properties rejecting bids and authorizing rebidding for asbestos abatement services, moving services and replacement of carpeting in the Herkimer County Clerk’s Office and Real Property Tax Services Department was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

On motion of Mr. Hendrix, seconded by Mr. Shaw, Report and Resolution No. 248 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means approving rental agreement for boat and equipment storage was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 248

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY AND EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS AND MEANS APPROVING RENTAL AGREEMENT FOR BOAT AND EQUIPMENT STORAGE

WHEREAS, the Herkimer County Sheriff's Department maintains a boat patrol on the Fulton Chain of Lakes during the boating season and has need to store two patrol boats, one trailer, two four wheelers and a Ski Jet during the off-season; and

WHEREAS, by letter dated August 25, 2010, Christopher P. Farber, Sheriff, has advised that Duane Aney of Herkimer, New York, has a facility available to store said equipment and requests that a rental agreement be entered into with said Duane Aney; now, therefore, be it

RESOLVED, that a rental agreement be entered into between the County of Herkimer and Duane Aney, 904 Steuben Road, Herkimer, New York, for storage of two patrol boats, one trailer, two four wheelers and a Ski Jet during the off-season for the period June 2009 through June 2010, for a sum not to exceed \$1,200.00, pursuant to an agreement approved by the County Attorney's Office; and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute said contract on behalf of the County of Herkimer; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals of said agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: September 15, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE

DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

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. Hendrix, seconded by Mr. Shaw, Report and Resolution No. 249 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means authorizing payment under Medicaid rates for medical expenses incurred by inmates at Herkimer County Correctional Facility was handed up; there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 249

REPORT AND RESOLUTION OF THE COMMITTEE ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND THE COMMITTEE ON WAYS & MEANS AUTHORIZING PAYMENT UNDER MEDICAID RATES FOR MEDICAL EXPENSES INCURRED BY INMATES AT HERKIMER COUNTY CORRECTIONAL FACILITY

WHEREAS, by letter dated August 24, 2010 from Christopher P. Farber, Herkimer County Sheriff, this Legislature is advised of a request for the Sheriff's Office to pay under Medicaid rates all legitimate medical expenses incurred by inmates at the Herkimer County Correctional Facility and also to provide payment for dental services as needed by said inmates; and

WHEREAS, your Committees have considered said request and recommends its approval; now, therefore, be it

RESOLVED, that payment at Medicaid rates for legitimate medical expenses incurred by inmates at the Herkimer County Correctional Facility is hereby authorized; and, be it further

RESOLVED, that payment at Medicaid rates for necessary dental expenses for inmates at the Herkimer County Correctional Facility is hereby further authorized; and, be it further

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

Dated: September 15, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
**Committee on Public Safety and
Emergency Management**

On motion of Mr. Bono, seconded by Mr. Stone, Report and Resolution No. 250 of the Committee on Human Resources in connection with the provision of medical services under health maintenance organization coverage was handed, there being no debate, was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 250

REPORT AND RESOLUTION OF THE COMMITTEE ON HUMAN RESOURCES IN CONNECTION WITH THE PROVISION OF MEDICAL SERVICES UNDER HEALTH MAINTENANCE ORGANIZATION COVERAGE

WHEREAS, by Resolution No. 256 adopted October 1, 2003, this Legislature authorized contracts with certain health maintenance organizations for the establishment of billing of patients served and HIPPA compliance; and

WHEREAS, by Resolution No. 302 of 2009, new contracts and updated fee schedules from previous contracts were authorized with said health maintenance organizations; and

WHEREAS, by letter dated July 27, 2010, Dr. Gregory O'Keefe has submitted a request to amend the contract with Capital District Physicians Health (CDPHP) in connection with certain statutory changes for health plans; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an amended contract with Capital District Physicians Health Plan (CDPHP) and CDPHP Ancillary Provider Agreement in connection with certain statutory changes for health plans as follows:

- The time period or health plan payment of electronic claims has been reduced from 45 days to 30 days
- The time period of submission of claims has been established at 129 days from the date of services

and with said contract to be subject to approval by 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, Director of Public Health and CDPHP.

Dated: September 15, 2010.

VINCENT J. BONO
 JOHN J. PISECK, JR.
 JEAN E. MANEEN
 PETER F. MANNO
 LEONARD R. HENDRIX
 PATRICKK E. RUSSELL
Committee on Human Resources

On motion of Mr. Piseck, seconded by Mr. Stone, Report and Resolution No. 251 of the Committee on Ways and Means authorizing participation in the production of tourism brochure was handed up; debate was held; unanimous request for immediate consideration was offered; Mrs. Rose objected and the resolution was referred to the next regular session.

On motion of Mr. Hendrix, seconded by Mr. Russell and Mr. Bono, Report and Resolution No. 252 of the Committee on Public Safety and Emergency Management and the Committee on Ways and Means rejecting counter-offer from the Village of Herkimer in connection with the provision of sewer services for the proposed Herkimer County Correctional Facility was handed up; debate was held, was voted on and adopted by voice vote:

For: Ayes (15).

Against: Rose, Brezinski (2).

Absent: None.

No. 252

RESOLUTION OF THE COMMITTEES ON PUBLIC SAFETY/EMERGENCY MANAGEMENT AND WAYS & MEANS RUFUSING TO ACCEPT COUNTER-OFFER FROM THE VILLAGE OF HERKIMER IN CONNECTION WITH THE PROVISION OF SEWER SERVICES TO THE PROPOSED HERKIMER COUNTY CORRECTIONAL FACILITY

WHEREAS, by Resolution No. 198 of 2010, the County of Herkimer made an offer to the Village of Herkimer to pay the Village the sum of \$400,000 towards the cost of improvements to the Village's Sewer System/Wastewater Treatment Plant and a payment of \$20,000 per year for twenty years thereafter, with the payments being contingent on a number of items; and

WHEREAS, by letter dated August 31, 2010, the Village has made a counter-offer to the County of Herkimer which provides that all costs associated with construction, repairs and hook-up to the Correctional Facility be paid by the County, that the County make a host community payment in the amount of \$58,000 per year for the duration of the correctional facility, with an escalator based on the Village tax rate together with a lump sum payment of \$800,000; and

WHEREAS, both committees have reviewed the Village's counter-offer; now, therefore be it

RESOLVED, that the County Legislature hereby refuses to accept the counter-offer from the Village of Herkimer as above described; and, be it further

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

Dated: September 15, 2010.

LEONARD R. HENDRIX
VINCENT J. BONO
JEFFREY M. STONE
DENNIS KORCE
ROBERT N. HYDE
BRUCE WEAKLEY
Committee on Public Safety/Emergency
Management

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

On motion of Mr. Hendrix, seconded by Mr. Bono, Resolution No. 253 In Memoriam to former County Legislator Paul C. Barnes was handed up; Chairman Smith gave a statement in tribute and memory of Mr. Barnes; the resolution was voted on and adopted by voice vote:

For: All ayes (17).

Against: None.

Absent: None.

No. 253

- WHEREAS, Paul C. Barnes departed this life on August 11, 2010; and*
- WHEREAS, Paul C. Barnes served in the U.S. Army beginning in 1964 for 20 years of active duty and then 20 years of as an Army Reservist being honorably discharged as a Master Sergeant in 2004; and*
- WHEREAS, Paul C. Barnes was an outstanding public servant proudly giving his time and talents representing the 16th District from 1990 through 2003 while serving as Chairman of the Human Resources and Highways committees; and*
- WHEREAS, Paul C. Barnes served his community with pride as well, he was a past member of the Salisbury Volunteer Fire Department and the Soggy Bottom Riders ATV Club; and*
- WHEREAS, Since boyhood he worked and later owned the Salisbury Tree Farm, he and wife Pat owned the Barnes Grocery Store and Mr. Barnes was also employed at P&C Foods as the head bookkeeper retiring in 1994 after 18 years; and*
- WHEREAS, The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED, That the County Legislature does hereby express its deepest regrets at the decease of Paul C. Barnes and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further*
- RESOLVED, That a copy of this Resolution be sent to the family of Paul C. Barnes and that an additional copy be spread upon the minutes of this meeting.*

September 15, 2010.

Chairman Smith stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Mr. Korce, Mrs. Maneen, Mr. Shaw, and Mr. Keblish.

Mr. Piseck made a motion at 8:35 p.m., seconded by Mr. Korce, to go into executive session regarding collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law); at 8:47 p.m., on motion of Mr. Piseck, seconded by Mr. Bono, the Legislature came out of executive session.

At 8:48 p.m., on motion of Mr. Manno, seconded by Mr. Hyde and Mr. Stone, the Legislature adjourned to Wednesday, October 6, 2010 at 2:00 p.m.