

MINUTES
Herkimer County Legislature
First Quarter – Second Day
Wednesday, January 22, 2020
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:00 p.m.

Chairman Bono called on Legislator Ray Donley, 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: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Absent: Keeler, Ackerman (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 January 6, 2020. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. There were no appearances.

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. Mr. Johnson requested Communication No. 23 be read.

No. 4 – A communication was received from Legislator Stephens submitting resignation from the Greater Mohawk Valley Board of Directors. Filed.

No. 5 – A communication was received from Capital District Off Track Betting Corporation submitting financial report for October 2019. Filed.

No. 6 – A communication was received from the Clerk of the Legislature submitting appointment of Deputy Clerk. Filed.

No. 7 – A communication was received from the NYS Office of Homeland Security and Emergency Services submitting letter of approval from 2018 Single Audit Report findings. Filed.

No. 8 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 9 – A communication was received from Herkimer County Soil & Water Conservation District – Advising of monthly meeting. Filed.

No. 10 – A communication was received from Senator James L. Seward advising of receipt of Resolution No. 383 of 2019. Filed.

No. 11 – A communication was received from NYS Office of Homeland Security and Emergency Services advising of Grant. Filed.

No. 12 – A communication was received from Oneida-Herkimer Solid Waste Authority submitting adopted 2020 budget. Filed.

No. 13 – A communication was received from the President of HCCC expressing thanks to the Legislature. Filed.

No. 14 – A communication was received from the Deputy County Clerk – Submitting letter of resignation of County Attorney. Filed.

No. 15 – A communication was received from NYS Agriculture & Markets certifying district consolidation plan. Filed.

No. 16 – A communication was received from Homes & Community Renewal advising of Grant. Filed.

No. 17 – A communication was received from Senator James L. Seward advising of expiration of Herkimer County's sales and/or mortgage tax. Referred to the Committee on Ways & Means.

No. 18 – A communication was received from Regional Fish & Wildlife Management Board submitting letter of Board reappointments needed. Filed.

No. 19 – A communication was received from Barclay Damon submitting Article VII Application Supplemental Filing on behalf of New York Power Authority. Filed.

No. 20 – A communication was received from the County Attorney submitting Order of Designation of Assistant County Attorneys. Filed.

No. 21 – A communication was received from the County Auditor submitting letter appointing Deputy Auditor. Filed.

No. 22 – A communication was received from the Executive Director of the IDA requesting Resolution of support. Filed.

No. 23 – A communication was received from the County Attorney submitting Summons with Complaint. Filed.

No. 24 – A communication was received from the Personnel Officer requesting approval of contract with Aquarius Capital. Referred to the Committee on Ways & Means.

No. 25 – A communication was received from the Sheriff submitting monthly report for October 2019. Referred to the Committee on Public Safety & Emergency Management.

No. 26 – A communication was received from the Director of Probation requesting renewal of Alternatives to Incarceration Contract. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 27 – A communication was received from the Director of Information Services submitting letter of cost to enhance search function of County Website. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 28 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of bid for purchase of boiler for the Herkimer County Office building. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 29 – A communication was received from the Budget Officer/Purchasing Agent requesting to reject bids for Solar project. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 30 – A communication was received from the County Treasurer requesting renewal of contract with Three + One. Referred to the Committee on Ways & Means.

No. 31 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grant, amend budget and authorize e-signature in Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 32 – A communication was received from the Personnel Officer requesting to amend Salary Schedule V in Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 33 – A communication was received from the Budget Officer/Purchasing Agent submitting request to renew contract with the NYS Office of Court Administration for Court Cleaning expenses. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 34 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grant and amend 2019 Budget in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 35 – A communication was received from the Budget Officer/Purchasing Agent requesting to transfer funds within 2017 State Interoperable Communication Grant in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 36 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grant, amend budget, and create project in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 37 – A communication was received from the Budget Officer/Purchasing Agent requesting to transfer funds within 2018 Emergency Management Performance Grant in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 38 – A communication was received from the Director of Probation submitting Annual Report for 2019. Referred to the Committee on Public Safety & Emergency Management.

No. 39 – A communication was received from the Commissioners of Elections requesting renewal of contract with NTS Data Services in Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 40 – A communication was received from the County Attorney requesting approval to amend contract for Counsel at First Arraignment. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 41 – A communication was received from the Personnel Officer requesting to terminate the County's participation in the Municipal Healthcare Finance Consortium. Referred to the Committee on Ways & Means.

No. 42 – A communication was received from the Personnel Officer requesting to amend agreement with Hinman, Howard, & Kattell. Referred to the Committee on Ways & Means.

No. 43 – A communication was received from the Personnel Officer requesting to hire Milliman involving Herkimer County Workers' Compensation Plan. Referred to the Committee on Ways & Means.

No. 44 – A communication was received from Director of Public Health requesting renewal of contract for services of Medical Consultant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 45 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds and budget amendment for Early Intervention Program in Public Health. Referred to the Committee on Ways & Means.

No. 46 – A communication was received from the Budget Officer/Purchasing Agent requesting 2019 budget amendment and transfer for Education of Handicapped Children Program in Public Health. Referred to the Committee on Ways & Means.

No. 47 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds for ERN Program in ETA. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 48 – A communication was received from the Commissioner of Social Services submitting request for Leave of Absence for Employee. Referred to the Committee on Ways & Means.

No. 49 – A communication was received from the Personnel Officer requesting to amend Salary Schedule II in DSS. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 50 – A communication was received from the Commissioner of Social Services requesting to approve agreement for background checks for new hires with the Child Support Services Unit in DSS. Referred to the Committee on Human Resources.

No. 51 – A communication was received from the Budget Officer/Purchasing Agent requesting to appropriate funds for services provided for the Herkimer County Community Development Plan. Referred to the Committee on Ways & Means.

No. 52 – A communication was received from the Budget Officer/Purchasing Agent requesting to transfer funds within 2019 budget in IDA. Referred to the Committee on Ways & Means.

No. 53 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds and appropriate funds in 2019 Budget. Referred to the Committee on Ways & Means.

No. 54 – A communication was received from the Budget Officer/Purchasing Agent requesting to amend 2019 budget for Sales Tax. Referred to the Committee on Ways & Means.

No. 55 – A communication was received from the Budget Officer/Purchasing Agent requesting to amend 2020 budget to adjust for payments received from Community Development Block Grants. Referred to the Committee on Ways & Means.

No. 56 – A communication was received from the Executive Director of the IDA requesting authorization for Chairman to sign and certify documents in support of property tax PILOT. Referred to the Committee on County Planning & Development.

No. 57 – A communication was received from Homes & Community Renewal advising of Grant. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Mr. Bono asked County Administrator Jim Wallace to give an overview of the State Budget.

The Chairman continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 7 sponsored by the Committee on Ways and Means renewing contract with Three + One to provide cash management and investment consultation services to Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 8 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means amending budget in connection with funding in Sheriff's Office was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 9 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Salary Schedule V and part time salary schedule to create positions in Sheriff's Department and amending the budget was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 10 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means in connection with contract with the NYS Office of Court Administration to provide cleaning and minor repairs of court facilities was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Campione, seconded by Mr. Schrader, Report and Resolution No. 11 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 12 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving the utilization of grant funding and approving the transfer of funds for the purchase of ice shields for microwave dishes at tower sites was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Hollum, seconded by Mr. Schrader, Report and Resolution No. 13 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means accepting grant funding, authorizing e-signature, creating project, and amending 2020 budget was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 14 sponsored by the Committee on Ways and Means transferring funds in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Absent: Keeler, Ackerman (2).

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 15 sponsored by the Committee on Public Safety & Emergency Management adopting Annual Report of Herkimer County Probation Department was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Hollum, seconded by Mr. Brezinski, Report and Resolution No. 16 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing contract for Voter Registration System was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Johnson, seconded by Mr. Weakley, Report and Resolution No. 17 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means amending contract with Attorney Keith Bowers to provide services as Administrator for oversight of Indigent Representation was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 18 sponsored by the Committee on Ways & Means authorizing terminating participation in Inter-

Municipal Agreement Regarding Municipal Healthcare Financing Collective was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 19 sponsored by the Committee on Ways and Means amending contract with Hinman, Howard, & Katell, LLP was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 20 sponsored the Committee on Ways and Means approving agreement in connection with on-going litigation involving the Herkimer County Workers' Compensation Plan was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 21 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing updated agreement with Little Falls Hospital for services of Medical Consultant in connection with Public Health Nursing Programs was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No. 22 sponsored by the Committee on Ways and Means appropriating funds and amending budget in Public Health was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 23 sponsored by Committee on Ways and Means transferring funds and amending budget in Public Health was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Campione, seconded by Mr. Smith, Report and Resolution No. 24 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means approving agreement and appropriating funds in Employment and Training was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Against: None.

Absent: Keeler, Ackerman (2).

On motion of Mr. Schrader, seconded by Mr. Smith, Report and Resolution No. 25 sponsored by the Committee on Ways and Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Ackerman (2).

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 26 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending Salary Schedule No. II for position change in Herkimer County Department of Social Services was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Against: None.

Absent: Keeler, Ackerman (2).

On motion of Mr. Malta, seconded by Mr. Weakley, Report and Resolution No. 27 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing Use and Dissemination Agreement with NYS Division of Criminal Justice Services in DSS was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Ackerman (2).

On motion of Mr. Johnson, seconded by Mr. Hollum, Report and Resolution No. 28 sponsored by the Committee on Ways and Means appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Against: None.

Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 29 sponsored by the Committee on Ways and Means authorizing transfer of funds was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 30 sponsored by the Committee on Ways and Means authorizing transfers of funds in 2019 budget was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 31 sponsored by the Committee on Ways and Means amending 2019 budget was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 32 sponsored by the Committee on Ways and Means amending 2020 budget was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Johnson, Report and Resolution No. 33 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means authorizing submission of documents in support of Herkimer County IDA ten year PILOT agreement with any owner of prospective owner/developer of the property known as the Duofold Site was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Johnson, seconded by Mr. Gaworecki, Report and Resolution No. 34 sponsored by the Committee on County Properties and the Committee on Ways and Means awarding bid for boiler and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Brezinski, Manno, Smith, Bono, Donley, Campione, Russell, Shaw, Weakley (15).

Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Weakley, seconded by Mr. Malta, Resolution No. 35 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means authorizing agreement with the Herkimer County IDA for administration of Microenterprise Project Grant was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Resolution No. 36 sponsored by the Committee on County Planning & Development authorizing the designation of certifying officer for responsible entity for Environmental Review Purposes as required under programs administered by the United States Department of Housing and Urban Development was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Stephens, seconded by Mr. Brezinski, Resolution No. 37 sponsored by the Committee on Administration/Veterans' Affairs confirming Herkimer County Fair Housing Plan of 1998 was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Campione, seconded by Mr. Johnson, Resolution No. 38 sponsored by the Committee on Natural Resources appointing representatives of Intercounty Legislative Committee of the Adirondacks was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Resolution No. 39 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means requesting legislation authorizing the extension of the additional sales and compensating use tax was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Stephens Resolution No. 40 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means requesting authority to extend the imposition of a mortgage recording tax was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Ackerman (2).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators made a comment: Chairman Bono.

At 7:23 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, February 12, 2020 at 7:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 7

REPORT AND RESOLUTION RENEWING CONTRACT WITH THREE + ONE TO PROVIDE CASH MANAGEMENT AND INVESTMENT CONSULTATION SERVICES TO HERKIMER COUNTY

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 286, adopted on November 15, 2017, this Legislature authorized a contract with Three + One to provide professional cash management/investment consultation services; and

WHEREAS, by letter dated December 31, 2019, Kimberlee A. Enea, County Treasurer, has requested to renew the contract with Three + One to provide professional cash management/investment consultation services to Herkimer County for a two year period at the current rate of .0125% per million dollars of low or non-performing monies per quarter; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract between the County of Herkimer and Three + One, Tobey Village Office Park, 180 Office Parkway, Pittsford, NY 14534, to provide professional cash management/investment consultation services to Herkimer County for a two year period at the current rate of .0125% per million dollars of low or non-performing monies per quarter; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into renewals of said agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; with the final form of said agreement to 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 Treasurer, Auditor, Budget Officer and Three + One.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 8

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH FUNDING IN SHERIFF'S OFFICE

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated January 2, 2020 from Scott F. Scherer, Herkimer County Sheriff, this Legislature is advised of a request for the Chairman of the Legislature to e-sign an agreement regarding the receipt of funding in the amount of \$17,134.00 from the U.S. Department Justice for a State Criminal Alien Assistance Program (SCAAP); and

WHEREAS, by letter dated January 7, 2020 from Sheri Ferdula, Budget Officer, this Legislature is advised that in anticipation of the SCAAP award \$10,000 was budgeted for 2020; however, it is necessary to amend the 2020 Budget in connection with the additional \$7,134.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign an agreement to receive a grant award in the amount of \$17,134.00 for a State Criminal Alien Assistance Program (SCAAP), with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the 2020 Herkimer County Budget is hereby amended as follows:

REVENUE:

A3150.4388, Jail, Alien Assistance	From:	\$10,000
	To:	\$17,134

EXPENSE:

A3150.44000, Jail, Contracted Services	From:	\$44,961
	To:	\$52,095

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 9

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE V AND PART TIME SALARY SCHEDULE TO CREATE POSITIONS IN SHERIFFS DEPARTMENT AND AMENDING THE BUDGET

**Sponsored by: Committee on Public Safety & Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated January 2, 2020 from Scott F. Scherer, Herkimer County Sheriff, request has been made to establish one full time Special Patrol Officers in Salary Schedule V and three part time Special Patrol Officers in the part time Salary Schedule; and

WHEREAS, by letter dated January 10, 2020 from Steven Billings, Personnel Officer, this Legislature is advised the request of the Sheriff would amend Salary Schedule V to establish one Special Patrol Officers at the base salary of \$35,359.00 and also amend the part time salary schedule to establish three positions of Special Patrol Officer at \$16.93 per hour; and

WHEREAS, by letter dated January 6, 2020 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised a separate budget account will be established for the Special Patrol Officer positions, or any Deputy Sheriff/Correction Officer working in a school district under a School Resource Officer assignment, and that all position in this title be moved into the new account going forward; now, therefore, be it

RESOLVED, that the positions of one Special Patrol Officers at the base salary of \$35,359.00 in Salary Schedule V and three part time Special Patrol Officers be established in the part time salary schedule at \$16.93 per hour; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 10

REPORT AND RESOLUTION IN CONNECTION WITH CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE CLEANING AND MINOR REPAIRS OF COURT FACILITIES

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by Resolution No. 15 duly adopted on January 2, 2019, this Legislature authorized an agreement with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum of five years beginning April 1, 2018 through March 31, 2023; and

WHEREAS, by letter dated January 6, 2020, from Sheri Ferdula, Budget Officer and Purchasing Agent this Legislature is advised that the State of New York Unified Court System has submitted a renewal of the five year contract and requested that the Budget be approved and signed for the period commencing April 1, 2019 through March 31, 2020, with the maximum compensation for said period to be \$109,362.00, which includes tenant work requested by the courts to be completed by March 31, 2020; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the Annual Renewal Letter and Budget for the period April 1, 2019 through March 31, 2020 with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum compensation of \$109,362.00, which includes tenant work requested by the courts to be completed by March 31, 2020, for said period; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 11

REPORT AND RESOLUTION ACCEPTING GRANT AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated December 19, 2019, from Michael L. Edwards, STOP-DWI Coordinator, he has requested that this Legislature accept funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$392.62 for the period of October 1, 2018 through September 30, 2019, as a pass-through funding stream administered by the County; and

WHEREAS, by letter dated December 30, 2019 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2019 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2019 budget be amended as follows:

A3315A.4389G, Impaired Driving Det., Federal Aid	From: \$17,300.00
Project SD 02-6	To: \$17,692.62

A3315A.44000, Impaired Driving Det., Contracted Services,	From: \$37,000.00
Project SD 02-6	To: \$37,392.62

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 12

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING AND APPROVING THE TRANSFER OF FUNDS FOR THE PURCHASE OF ICE SHIELDS FOR MICROWAVE DISHES AT TOWER SITES

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter received December 16, 2019, from John J. Raymond, Director of Emergency Services, this Legislature is advised of a request to purchase ice shields for microwave dishes at tower sites by utilizing 2017 State Interoperable Communications grant funding; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the ice shields be purchased from Mid-State Communications of Oriskany, New York, at a price of \$22,460.00; and

WHEREAS, by letter dated December 26, 2019, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested a transfer within the 2017 State Interoperable Communications Grant as follows:

\$7,923.58	From: H3021.25000, Public Safety Communications, Other Equipment,
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Project 19-3
To: H3021.44000, Public Safety Communications, Contracted Services,
Project 19-3

now, therefore, be it

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 13

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT, AND AMENDING 2020 BUDGET

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated December 30, 2019, John J. Raymond, Director of Emergency Services has advised of a 2019 Statewide Interoperable Communications Grant in the amount of \$678,591.00 which will be utilized to improve remote communication tower facilities; and

WHEREAS, by letter dated January 7, 2020 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that a project be established, and the 2020 budget must be amended; now, therefore be it

RESOLVED, that the above described grant is hereby accepted, a project is established, and that the 2020 budget be amended as follows:

REVENUE:

H3097, Gen. Gov't Capital Projects, Project 19-5	FROM:	\$0
	TO:	\$678,591

EXPENSE:

H3021.25000, Public Safety Communications, Other Equipment, Project 19-5	FROM:	\$0
	TO:	\$178,591
H3021.44000, Public Safety Communications, Contracted Svcs., Project, 19-5	FROM:	\$0
	TO:	\$500,000

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 14

REPORT AND RESOLUTION TRANSFERRING FUNDS IN EMERGENCY SERVICES

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated December 9, 2019 from John J. Raymond, Director of Emergency Services, has requested a transfer of funds within the 2018 EMPG Grant, Project EM06-4, to purchase Personal Protective Gear for Deputy Fire and EMS Coordinators; and

WHEREAS, by letter dated December 26, 2019 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, your committee is advised a transfer is needed for this expenditure as follows:

\$7,960.00 From: A3020A.22000, Em. Mgmt., Homeland Security, Computer Equipment, Project EM06-4
To: A3020A.25000, Em. Mgmt., Homeland Security, Other Equipment, Project EM06-4

\$640.00 From: A3020A.44000, Em. Mgmt., Homeland Security, Contracted Services, Project EM06-4
To: A3020A.25000, Em. Mgmt., Homeland Security, Other Equipment, Project EM06-4

now, therefore be it

RESOLVED, that the Treasurer is authorized to make the above transfer; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 15

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY PROBATION DEPARTMENT

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, your Committee on Public Safety/Emergency Management, to which was referred the Annual Report of the Herkimer County Probation Department for the year 2019, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Probation Department be approved and placed on file with the Herkimer County Legislature for the year 2019.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 16

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR VOTER REGISTRATION SYSTEM

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Ways and Means**

WHEREAS, by Resolution No. 171 of 2005 a contract was approved for a period of five years with NTS Data Services, LLC, for a voter registration system, including installation, support and maintenance, pursuant to the Federal Help America Vote Act, which contract was most recently renewed for four years by Resolution No. 56 of 2016; and

WHEREAS, by letter dated November 21, 2019 from Kim S. Tranter and Anthony C. Fumarola, Commissioners of Elections, this Legislature is advised of a request to extend said contract for an additional two years for a term of January 1, 2020 through December 31, 2021, with two – one year options to extend at the same price, for ongoing support and maintenance of said voter registration system; now, therefore, be it

RESOLVED, that a contract be entered into with NTS Data Services, LLC, 2079 Sawyer Drive, Niagara Falls, NY 13403 for the provision of ongoing support and maintenance of a voter registration system at a cost of \$31,960.00 per year, for a two year term, with two – one year options to extend at the same price; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute said contract with the form of said contract to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Commissioners of Elections and NTS Data Services, LLC.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 17

REPORT AND RESOLUTION AMENDING CONTRACT WITH ATTORNEY KEITH BOWERS TO PROVIDE SERVICES AS ADMINISTRATOR FOR OVERSIGHT OF INDIGENT REPRESENTATION

**Sponsored by: Committee on Public Safety & Emergency Management
Committee on Ways and Means**

WHEREAS, by Resolution No. 40, dated January 24, 2019, this Legislature approved a contract with Attorney Keith Bowers, Herkimer County Assigned Counsel Administrator through an agreement with the Herkimer County Bar Association to provide services to Herkimer County which are mandated by the State of New York in connection with indigent representation improvements; and

WHEREAS, by letter dated, January 3, 2020, from Lorraine H. Lewandrowski, Acting County Attorney, this Legislature is advised of a request by Attorney Bowers to amend the contract entered into by the County with Attorney Keith Bowers on February 6, 2019 to reflect that the above services will be provided by a separate legal entity, Enhanced Representation, Inc., an attorney corporation solely owned by Keith Bowers, effective February 1, 2019; now, therefore be it

RESOLVED, that the Chairman of the Legislature be, and hereby is, authorized to execute an amended contract with Enhanced Legal Representation, Inc., for the retroactive period commencing February 1, 2019; and, be it further

RESOLVED, that in all other aspects, the contract entered into on February 9, 2019 between Herkimer County and Attorney Keith Bowers shall remain unchanged; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Attorney Keith Bowers, and Enhanced Legal Representation, Inc.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 18

REPORT AND RESOLUTION AUTHORIZING TERMINATING PARTICIPATION IN INTER-MUNICIPAL AGREEMENT REGARDING MUNICIPAL HEALTHCARE FINANCING COLLECTIVE

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 288 of 2018, this Legislature authorized the execution of an Inter-municipal Agreement for participation in the Municipal Healthcare Financing Collective (MHFC) for stop-loss insurance; and

WHEREAS, by letter dated December 4, 2019, Steven R. Billings, Personnel Officer, has advised the county never participated in purchasing stop-loss insurance through the MHFC, and recommends the county terminate our involvement in the MHFC at this time; now, therefore be it

RESOLVED, that the County of Herkimer terminate its participation in the Inter-municipal Agreement with the Municipal Healthcare Financing Collective; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 19

REPORT AND RESOLUTION AMENDING CONTRACT WITH HINMAN, HOWARD, & KATTELL, LLP

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 274 dated October 26, 2005, this Legislature approved a contract with Hinman, Howard, & Kattell, LLP, of Binghamton, New York, to represent the County;

WHEREAS, by letter dated December 6, 2019, from Steven R. Billings, Personnel Officer, this Legislature is advised of a request to amend the contract to increase the hourly rate the former Herkimer County Workers' Compensation Plan pays for legal services from \$210.00 per hour to \$300.00 per hour; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an amended contract to reflect said changes; and, be it further

RESOLVED, that in all other aspects, the contract between Herkimer County and Hinman, Howard, & Kattell, LLP shall remain unchanged; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 20

REPORT AND RESOLUTION APPROVING AGREEMENT IN CONNECTION WITH ON-GOING LITIGATION INVOLVING THE HERKIMER COUNTY WORKERS' COMPENSATION PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 6, 2019, from Steven R. Billings, Personnel Officer, this Legislature is advised that a proposal has been received from Milliman to provide analysis, expert opinion and a written report concerning the appropriate discount rate that should be applied to the outstanding liabilities of the Workers' Compensation Plan, at a cost not to exceed \$40,000.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement on behalf of the County of Herkimer with Milliman, One Pennsylvania Plaza, 38th Floor, New York, NY 10019, to provide analysis, expert opinion, a review of documents relied upon in connection with our report, review and critique the opinions (and reports, if any) of opposing experts, and assist attorneys as requested in developing cross examination of opposing

experts, and will also testify at the 2020 trial and, if requested, assist in writing or reviewing post total briefs, at a cost not to exceed \$40,000.00, with the final terms of said agreement to 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 Treasurer, Auditor, Budget Officer, and Personnel Officer.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 21

REPORT AND RESOLUTION AUTHORIZING UPDATED AGREEMENT WITH LITTLE FALLS HOSPITAL FOR SERVICES OF MEDICAL CONSULTANT IN CONNECTION WITH PUBLIC HEALTH NURSING PROGRAMS

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated November 27, 2019, Christina Cain, Director of Public Health, has requested approval for an updated contract with Little Falls Hospital for the services of a Medical Consultant, which is a mandated requirement under New York State Department of Health Article 28 regulations; and

WHEREAS, under said agreement Little Falls Hospital will provide the County with the services of Richard Nocella, D.O., a licensed physician, and in his absence, another practitioner will be provided as needed, to provide both administrative and/or clinical assistance, to act as Medical Consultant for Herkimer County Public Health Nursing, with the County to pay the Hospital the sum of \$110.00 per hour portal to portal, with a minimum of one hour per week; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Little Falls Hospital, 140 Burwell Street, Little Falls, New York, for the provision of a licensed physician to act as Medical Consultant for the Herkimer County Public Health Nursing services programs, at a cost of \$110.00 per hour, portal to portal, with said agreement to subject to the approval of the Herkimer County Attorney; 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, Director of Public Health and Little Falls Hospital.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 22

REPORT AND RESOLUTION APPROPRIATING FUNDS AND AMENDING BUDGET IN PUBLIC HEALTH

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 30, 2019, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation in the budget, and a budget amendment is needed to cover expenditures for the Early Intervention Program; and

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that funds have been verified and are available for this appropriation and budget amendment; now, therefore, be it

RESOLVED, that an appropriation and budget amendment in the 2019 budget be made as follows:

Appropriation:

\$27,540	From: A1990.46000, Contingent Fund, Miscellaneous Expense
	To: A4059.44000, Early Intervention, Contracted Services

Budget Amendment:

A4059.3449, Early Intervention, State Aid	From: \$135,806
	To: \$162,266

A4059.44000, Early Intervention, Contracted Services	From: \$200,000
	To: \$226,460

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 23

REPORT AND RESOLUTION TRANSFERRING FUNDS AND AMENDING BUDGET IN PUBLIC HEALTH

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 30, 2019, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a budget amendment and transfer is needed to cover expenditures for the Education of Handicapped Children Program; and

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that funds have been verified and are available for this budget amendment and transfer; now, therefore, be it

RESOLVED, that a budget amendment and transfer in the 2019 budget be made as follows:

Amendment:

A2960.3277, Ed. Of Hand., State Aid	From: \$1,338,750
	To: \$1,788,748
A2960.44000, Ed of Hand., Contracted Services	From: \$2,250,000
	To: \$2,699,998

Transfer:

\$306,302	From: A3170.44000, Correctional Facility, Contracted Services
	To: A2960.44000, Ed of Hand., Contracted Services

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 24

REPORT AND RESOLUTION APPROVING AGREEMENT AND APPROPRIATING FUNDS IN EMPLOYMENT AND TRAINING

**Sponsored by: Committee on County Planning & Development
Committee on Ways and Means**

WHEREAS, by letter dated December 31, 2019, from Karin Piseck, Director of Employment and Training, this Legislature is advised of a request to enter into an agreement with Schenectady Community Action Agency for the purpose of setting up an Employer Resource Network in Herkimer County; and

WHEREAS, by letter dated December 30, 2019, from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that an appropriation will be necessary to allocate the funding for the development of this program; and

WHEREAS, the Budget Officer further advises that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation within the 2019 budget be made as follows:

Appropriation:

\$25,000.00 From: A1990.46000, Contingent Fund, Miscellaneous Expense
To: CD6294.44000, ETA One Stop, Contracted Services

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Schenectady Community Action Agency for the purpose of setting up an Employer Resource Network in Herkimer County, with terms and conditions 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, and Director of Employment and Training.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 25

REPORT AND RESOLUTION GRANTING AN ADDITIONAL LEAVE OF ABSENCE

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 370 for the year 1986, a leave with pay was granted to Mary Sullivan extending to July 1, 1988, so that she could serve in a statewide office with the Civil Service Employees' Association; and

WHEREAS, said leave with pay was extended by resolutions thereafter, most recently by Resolution No. 32 of 2018; and

WHEREAS, by letter dated December 30, 2019, Timothy Seymour, Commissioner of Social Services has advised that by letter dated December 20, 2019, Mary Sullivan has requested said leave be extended; now, therefore, be it

RESOLVED, that a leave of absence with pay be granted to Mary Sullivan under the terms and conditions set forth in Resolution No. 370 for the Year 1986 for the period from July 1, 2020 through June 30, 2021, with the Civil Service Employees' Association, Inc. to furnish insurance in form and amount satisfactory to the Herkimer County Administrator to protect the County if held liable for any damages arising from act or omission by such employee during the period of such leave and with the County to be reimbursed for the total cost for the full salary and total cost for fringe benefits for said Mary Sullivan; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Commissioner of Social Services, Mary Sullivan and the Civil Service Employees' Association, Inc. of New York State.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 26

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II FOR POSITION CHANGE IN HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated January 2, 2020, Tim Seymour, Commissioner of Social Services, has requested to amend Salary Schedule II to delete a part time Social Services Attorney and establish a full time Social Services Attorney; and

WHEREAS, by letter dated January 10, 2020, Steven R. Billings, Personnel Officer, your committees have been advised that Salary Schedule No. II should be amended to delete a part time Social Services Attorney in Account A6010, and establish a full time Social Services Attorney in Account A6010 with a base pay rate of \$83,650.00; now, therefore be it

RESOLVED, that Salary Schedule No. II be amended to delete a part time Social Services Attorney in Account A6010, and establish a full time Social Services Attorney in Account A6010 with a base pay rate of \$83,650.00; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 27

REPORT AND RESOLUTION AUTHORIZING USE AND DISSEMINATION AGREEMENT WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES IN THE DEPARTMENT OF SOCIAL SERVICES

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated January 2, 2020, Timothy Seymour, Commissioner of Social Services, has requested approval to enter into a Use and Dissemination Agreement with the State Division of Criminal Justice Services (DCJS); and

WHEREAS, said letter further states in May of 2019, the Department of Social Services (DSS) was required to submit policy concerning mandatory background investigations for all staff that have access to Federal Tax Information (FTI), the three main components of this task include: Local Law Enforcement Background Check, FBI fingerprinting through the DCJS, and I-9 submission and E-Verification; now, therefore, be it

RESOLVED, that the above described Use and Dissemination Agreement with New York DCJS is hereby approved; 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 New York State DCJS.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 28

REPORT AND RESOLUTION APPROPRIATING FUNDS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 30, 2019, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation in the 2019 budget is needed for payment to the Community Foundation of Herkimer & Oneida Counties for the Herkimer County Community Development Plan; and

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation be made as follows:

\$43,134.00 FROM: A1990.46000, Contingent Fund, Miscellaneous Expense
TO: A1010.45000, Legislature, Fees for Services

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 29

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated December 26, 2019, submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is,

\$1,500	FROM:	A3315.25000, Impaired Driving, Other Equipment
	TO:	A3315.86000, Impaired Driving, Retirement
\$584	FROM:	A1355.10000-001, Real Property, Salaries
	TO:	A6510.10000, Veteran's, Salaries
\$2,445	FROM:	A7320.10100, Summer Youth, Temp. Employees
	TO:	A7320.81000, Summer Youth, Health Insurance
\$120,440	FROM:	A6123.40000, Juvenile Delinquent, Contractual
	TO:	A6100.40000, Medicaid, Contractual

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 31

REPORT AND RESOLUTION AMENDING 2019 BUDGET

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 7, 2020 from Sheri A. Ferdula, Budget Officer, your committee is advised that there was an increase in sales tax revenue in 2019, and with that increase additional funds go to the towns, villages, and city, and a budget amendment is necessary in the 2019 budget to cover the expense; now, therefore be it

RESOLVED, that the 2019 Herkimer County Budget is amended as follows:

A1985.1110, Distribution of Sales Tax	FROM:	\$29,482,706
	TO:	\$29,882,706
A1985.44000, Distribution of Sales Tax, Contracted Services	FROM:	\$8,871,820
	TO:	\$9,271,820

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 32

REPORT AND RESOLUTION AMENDING 2020 BUDGET

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 7, 2020 from Sheri A. Ferdula, Budget Officer, your committee is advised that a budget amendment is necessary in the 2020 budget to adjust for payments for the Community Development Block Grants (CDBG); now, therefore be it

RESOLVED, that the 2020 Herkimer County Budget is amended as follows:

Revenue Account:	A6420.3789C, IDA, State Aid, CDGB	From:	\$0
		To:	\$3,960
Expense Account:	A6420.40100, IDA, Other	From:	\$0
		To:	\$3,960

and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 33

REPORT AND RESOLUTION AUTHORIZING SUBMISSION OF DOCUMENTS IN SUPPORT OF HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TEN YEAR PAYMENT IN LIEU OF TAXES AGREEMENT WITH ANY OWNER OF PROSPECTIVE OWNER/DEVELOPER OF THE PROPERTY KNOWN AS THE DUOFOLD SITE

**Sponsored by: Committee on County Planning & Development
Committee on Ways and Means**

WHEREAS, the Herkimer County Industrial Development Agency (IDA) has requested that the Herkimer County Legislature support a ten year Payment in Lieu of Taxes (PILOT)

Agreement with any owner or prospective owner/developer of the property known as the Duofold site at 7 Spruce Street, Ilion, New York; and

WHEREAS, by letter dated January 7, 2020, John J. Piseck, Jr., Executive Director of the Herkimer County IDA, has requested that the Herkimer County Legislature authorize the Chairman to sign and certify necessary documents in support of an IDA PILOT agreement for the Duofold site; now, therefore be it

RESOLVED, that the Chairman is hereby authorized to sign and certify necessary documents on behalf of Herkimer County in support of a ten year IDA PILOT agreement with any owner or prospective owner/developer of the Duofold site at 7 Spruce Street, Ilion New York, all such documents to be subject to review and approval by the County Attorney and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, and Executive Director of the Herkimer County Industrial Development Agency.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 34

REPORT AND RESOLUTION AWARDING BID FOR BOILER AND APPROPRIATING FUNDS

**Sponsored by: Committee on County Properties
Committee on Ways and Means**

WHEREAS, by letter dated December 26, 2019, Sheri Ferdula, Budget Officer has advised sealed bids were opened on December 13, 2019 for the replacement of one boiler for the Herkimer County Office Building; and

WHEREAS, it is the recommendation of the Budget Officer and your committees that the bid be awarded to Oneida County Boiler Works, 611 Mortimer Street, Utica, NY 13501, in the amount of \$94,500 for the installation of a new H.B. Smith 5.5 million BTHU boiler with a new burner and all controls and parts, as well as removing and disposing of the existing boiler; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase and installation of a new H.B. Smith 5.5 million BTHU boiler with a new burner and all controls and parts, in the amount of \$94,500, as well as removing and disposing of the existing boiler; and, be it further

RESOLVED, additional funds will be necessary and have been verified for the following appropriation:

\$94,500 From: A889N, Reserve, Co. Building Improvements
To: H1620.40000, Buildings, Contractual Expense, Project 16-1

and, be it further,

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Maintenance Foreman and Oneida County Boiler Works.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 35

RESOLUTION AUTHORIZING AGREEMENT WITH THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR ADMINISTRATION OF MICROENTERPRISE PROJECT GRANT

**Sponsored by: Committee on County Planning & Development
Committee on Ways and Means**

WHEREAS, the County has been awarded a \$200,000 Community Development Block Grant (CDBG) from the New York State Housing Trust Fund Corporation for Microenterprise assistance in Herkimer County; and

WHEREAS, the County, as the grantee of these funds, is responsible for the timely and proper use of the funds and completion of the project in accordance with federal guidelines; and

WHEREAS, the Herkimer County Industrial Development Agency (IDA) has the capacity to administer the program in accordance with and in the best interest of the County and has agreed to be solely responsible for all activities which must be performed to administer the grant; now, therefore, be it

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the Housing Trust Fund Corporation, represented by Office of Community Renewal (OCR) and all related documents associated with the OCR grant, including entering into a grant/sub recipient agreement with the IDA for implementation of the project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney; and, be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 36

RESOLUTION AUTHORIZING THE DESIGNATION OF CERTIFYING OFFICER FOR RESPONSIBLE ENTITY FOR ENVIRONMENTAL REVIEW PURPOSES AS REQUIRED UNDER PROGRAMS ADMINISTERED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sponsored by: Committee on County Planning & Development

WHEREAS, to receive Community Development Block Grant (CDBG) funds and other funds administered by the United States Department of Housing and Urban Development (HUD), the County of Herkimer must comply with the requirements of the National Environmental Policy Act (NEPA) of 1969, and related federal environmental laws and executive orders; and

WHEREAS, Environmental Assessments, Requests for Release of Funds, Certifications, and other related documents must be approved and signed by a designated Certifying Officer, as that person is defined in Section 102 of NEPA and related statutory provisions, who is authorized to assume the status of responsible official under NEPA and related authorities; now therefore, be it

RESOLVED, that the County of Herkimer names Vincent J. Bono, Chairman of the Herkimer County Legislature, as Certifying Officer and hereby authorizes him to take and direct all actions necessary and proper to comply with the environmental review regulations contained in NEPA.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 37

RESOLUTION CONFIRMING HERKIMER COUNTY FAIR HOUSING PLAN OF 1998

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, Federal and New York State laws prohibit discrimination in the sale, rental, and financing of housing on the basis of race, creed, gender, national origin, familial status, marital status, or handicap; and

WHEREAS, it is the intent of Herkimer County to maintain a fair housing environment and to deal effectively with housing discrimination problems as they are identified, inform residents of the laws that protect them from housing discrimination, and assist aggrieved persons as necessary and appropriate; now, therefore be it

RESOLVED, that the Herkimer County Fair Housing Plan of 1998 is hereby confirmed and remains in full force and effect; and, be it further

RESOLVED, that the Office of the County Administrator serves as the County Office to take action to increase public awareness of fair housing issues pursuant to the Herkimer County Fair Housing Plan of 1998; and, be it further

RESOLVED, that as set forth in the Herkimer County Fair Housing Plan of 1998, the County Administrator shall receive and assist with any complaints of discrimination; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, all other Herkimer County Department Heads, Executive Director of the IDA, President of HCCC, and Senior VP of Administration and Finance of HCCC.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 38

RESOLUTION APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

Sponsored by: Committee on Natural Resources

WHEREAS, the Counties of Essex, Hamilton, Herkimer, Lewis, St. Lawrence, Washington, Saratoga, Clinton, Franklin, Fulton and Warren have established the Intercounty Legislative Committee of the Adirondacks for the purpose, among other things, of initiating and taking positions on pending legislation affecting the Adirondack area; now, therefore, be it

RESOLVED, that Vincent J. Bono, Chairman of the Herkimer County Legislature, Legislator Raymond Smith, Legislator Patrick E. Russell, Legislator Bob D. Hollum, Legislator John P. Stephens and James W. Wallace, County Administrator, be and hereby are designated as

representatives of the County of Herkimer on the Intercounty Legislative Committee of the Adirondacks during the year 2020; and be it further

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

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 39

RESOLUTION REQUESTING LEGISLATION AUTHORIZING THE EXTENSION OF THE ADDITIONAL SALES AND COMPENSATING USE TAX

**Sponsored by: Committee on Ways and Means
Committee on Administration/Veterans Affairs**

WHEREAS, the Legislature of the State of New York adopted and the Governor signed into law as Chapter 61 of the Laws of 2017 authorizing the County of Herkimer to extend the imposition of an additional One and One Quarter Percent (1 ¼%) sales and compensating use tax for the period beginning December 1, 2017 and ending November 30, 2020; and

WHEREAS, in order for this additional sales and compensating use tax to be extended, new legislation by the Legislature of the State of New York shall be required; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby requests its Assemblymen and Senators to introduce into the New York State Legislature bills which would seek a three year extension and amendment of the statutory authorization for Herkimer County to impose an additional 1 ¼% sales and compensating use tax, with the new period to commence December 1, 2020, and with the additional ¼% to be dedicated to the costs of the construction and financing of a new correctional facility; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian D. Miller and Assemblywoman Marianne Buttenschon.

Dated: January 22, 2020.



HERKIMER COUNTY LEGISLATURE

No. 40

RESOLUTION REQUESTING AUTHORITY TO EXTEND THE IMPOSITION OF A MORTGAGE RECORDING TAX

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Ways and Means**

WHEREAS, Local Law No. 3 for the year 2005 imposed a mortgage recording tax within the County of Herkimer, pursuant to Section 253-i of the Tax Law, Chapter 549 of the Laws of 2005, as amended by Chapter 474 of the Laws of 2006; and

WHEREAS, Local Law No. 2 for the year 2018 extended the mortgage recording tax to December 1, 2020, pursuant to Section 253-u of the Tax Law, Chapter 125 of 2016; and

WHEREAS, the County of Herkimer is faced with continuing fiscal pressure in the foreseeable future, and wishes to minimize the burden on local property taxpayers; and

WHEREAS, because of said requirements and others, this County Legislature finds it necessary to request an extension of the county mortgage recording tax; now, therefore, be it

RESOLVED, that this Legislature hereby requests that the Assemblypersons and State Senators elected to represent Herkimer County in the New York State Legislature cause to be introduced in the Assembly and in the Senate bills to allow Herkimer County to extend, by local law or resolution, a mortgage recording tax in the amount of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is secured by a mortgage on real property situated within the County, with such tax to mirror the state mortgage recording tax, except that the deposit of all revenue received pursuant to such tax, after deducting administration expenses, shall be into the general fund of Herkimer County, with the revenue from such mortgage recording tax to be used for any county purpose, and that the New York State Tax Law and whatever other sections of law are necessary to fulfill this purpose be amended; and, be it further

RESOLVED, that our said representatives in the State Legislature make every effort to secure prompt passage of said legislation to the end that Herkimer County may receive the benefits of said legislation at the earliest date possible; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblywoman Marianne Buttenschon, and Assemblyman Brian D. Miller.

Dated: January 22, 2020.