

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, June 12, 2024

7:00 p.m.

PLEDGE OF ALLEGIANCE

Moment of Silence in Recognition of All Veterans, Past and Present

ROLL CALL

Presentation

Communications:

| | | |
|-----|---|----------------------------|
| 223 | Herkimer County 4-H Program – Submitting thank you for donation in memory of Legislator Shaw | FILE |
| 224 | NYS Dept. of State – Advising of Filing of Local Law No. 2 for 2024 | FILE |
| 225 | NYS Agriculture & Markets – Certifying the inclusion of predominantly viable agricultural land | FILE |
| 226 | HC Soil & Water Conservation District – Advising of monthly meeting | FILE |
| 227 | Chairman Hollum – Making appointment of legislator to fill vacancy in District No. 16 | FILE |
| 228 | County Clerk – Submitting resignation of Herkimer County Legislator Dist. 15 | FILE |
| 229 | Chairman Hollum – Making appointment of legislator to fill vacancy in District No. 15 | FILE |
| 230 | Patrick E. Russell – Submitting resignation as a member of the Herkimer Co. Jury Board | FILE |
| 231 | IDA – Submitting PILOT Agreement and application of Real Property Tax Exemption | FILE |
| 232 | County Clerk – Submitting resignation of STOP-DWI Coordinator | FILE |
| 233 | Chairman Hollum – Making appointment of STOP-DWI Coordinator | FILE |
| 234 | Republican Legislators – Naming Majority Leader | FILE |
| 235 | Solid Waste Authority – Submitting Resolutions and meeting minutes | FILE |
| 236 | NYS DEC – Submitting Public Notice | FILE |
| 237 | Beaver River Hydroelectric Project – Submitting updated study report meeting | FILE |
| 238 | Director of Public Health – Requesting contracts for education/related services to preschool children | HUMAN RES. WAYS & MEANS |

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, June 12, 2024

7:00 p.m.

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| 239 | Director of Community Services – Submitting appointment to Community Svcs. Board | HUMAN RES. |
| 240 | Sheriff – Submitting April 2024 Monthly Report | PUB. SFTY./ EMER. MGMT. |
| 241 | Director of Emergency Services – Requesting to award bid for LED lighting | PUB. SFTY./ EMER. MGMT. WAYS & MEANS |
| 242 | Budget Officer/Purchasing Agent – Requesting renewal of contract with Quadsimia in the Information Services Department | INFO. SVCS. WAYS & MEANS |
| 243 | Commissioners of Elections – Requesting approval for attendance at conference | ADMIN./VETS. WAYS & MEANS |
| 244 | Budget Officer/Purchasing Agent – Requesting budget amendment in connection with State Septic Replacement Program | WAYS & MEANS |
| 245 | Budget Officer/Purchasing Agent – Requesting budget amendment in connection with TANF 2024 Summer Youth Program funding | WAYS & MEANS |
| 246 | Personnel Officer – Requesting amendment to Salary Schedule No. III in the Public Health Department | HUMAN RES. WAYS & MEANS |
| 247 | Personnel Officer – Requesting amendment to Salary Schedule No. II in the Public Health Department | HUMAN RES. WAYS & MEANS |
| 248 | Director of Community Services – Requesting contract renewal for electronic health record system | HUMAN RES. WAYS & MEANS |
| 249 | Personnel Officer – Requesting temporary position in Treasurer’s Office | WAYS & MEANS |
| 250 | Personnel Officer – Requesting amendment to Salary Schedule No. V in the Sheriff’s Department | PUB. SFTY./ EMER. MGMT. WAYS & MEANS |
| 251 | Budget Officer/Purchasing Agent – Requesting budget amendment for additional CHIPS funding in the Highway Department | WAYS & MEANS |
| 252 | Director of Employment & Training – Requesting contract with BOCES for Summer Youth Employment Program | CO. PLNG. & DEV. WAYS & MEANS |

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, June 12, 2024

7:00 p.m.

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| 253 | Budget Officer/Purchasing Agent – Requesting budget amendment in Public Health | WAYS & MEANS |
| 254 | Budget Officer/Purchasing Agent – Requesting change order and appropriation of funds in connection with 108 Court Street remodel | CO. PROPERTIES WAYS & MEANS |
| 255 | Budget Officer/Purchasing Agent – Requesting contract in connection with chiller at HCCC | EDUCATION WAYS & MEANS |
| 256 | Budget Officer/Purchasing Agent – Requesting transfer of funds in the Sheriff Department | WAYS & MEANS |
| 257 | Director of Information Services – Submitting 2023 Annual Report for the Information Services Department | INFO. SVCS. |
| 258 | Director of Information Services – Submitting 2023 Annual Report for Central Printing | INFO. SVCS. |
| 259 | Highway Superintendent – Requesting approval of 2024/2025 capital construction project | HIGHWAYS |
| 260 | Personnel Officer – Requesting amendment to Salary Schedule No. III for the title of Executive Assistant for Indigent Legal Services | PUB. SFTY./ EMER. MGMT. WAYS & MEANS |
| 261 | Budget Officer/Purchasing Agent – Requesting budget amendment in connection with Alternatives to Incarceration Plan | PUB. SFTY./ EMER. MGMT. WAYS & MEANS |
| 262 | Budget Officer/Purchasing Agent – Requesting to award bid for vehicles | HUMAN RES. WAYS & MEANS |
| 263 | Director of Public Health – Requesting amendment to contracts in connection with System of Care Grant | HUMAN RES. WAYS & MEANS |
| 264 | Director of Emergency Services – Requesting approval of Hazard Mitigation Plan | PUB. SFTY./ EMER. MGMT. WAYS & MEANS |
| 265 | Highway Superintendent – Requesting approval for entry upon private property outside the highway right of way | HIGHWAYS |
| 266 | County Attorney – Requesting to extend date in agreement with Herkimer Solar | CO. PROPERTIES WAYS & MEANS |

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, June 12, 2024

7:00 p.m.

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| 267 | Budget Officer/Purchasing Agent –Requesting payments in connection with American Rescue Plan funding | WAYS & MEANS |
| 268 | Herkimer County Sewer District – Submitting Resolution to amend payment policy | NATURAL RES. WAYS & MEANS |
| 269 | Herkimer County Sewer District – Submitting Resolution for contract with EFC | NATURAL RES. WAYS & MEANS |
| 270 | Patrick E. Russell – Submitting resignation from Tobacco Board | FILE |

Consent Agenda:

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| 174 | INFO. SVCS.: Adopting Annual Report of the Info. Services and Central Printing Depts. | VOICE |
| 175 | WAYS & MEANS: Authorizing transfer of funds in the Sheriff Department | VOICE |
| 176 | NAT. RESOURCES: Appointing Director of Herkimer Co. Soil & Water Cons. Dist. | VOICE |
| 177 | PUB. SFTY./EMER. MGMT.: Designating member to the County Jury Board | VOICE |
| 178 | ADMIN./VETS. AFFAIRS, WAYS & MEANS: Authorizing attendance at conference in Board of Elections | VOICE |

Regular Agenda:

- | | | |
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| 179 | HUMAN RES., WAYS & MEANS: Amending Salary Schedule No. II in Public Health | ROLL CALL |
| 180 | HUMAN RES., WAYS & MEANS: Amending Salary Schedule No. III in Public Health | ROLL CALL |
| 181 | WAYS & MEANS: Amending Budget in the Public Health Department | VOICE |
| 182 | HUMAN RES., WAYS & MEANS: Amending Res. No. 355 of 2023 authorizing contracts in connection with System of Care Grant in Public Health | VOICE |
| 183 | HUMAN RES., WAYS & MEANS: Awarding bid for vehicles, creating account, and appropriating funds | ROLL CALL |
| 184 | EDUCATION, WAYS & MEANS: Approving contract at HCCC | VOICE |
| 185 | CO. PROPERTIES, WAYS & MEANS: Concerning change order on contract for renovations at the Court Street Building and appropriating funds | ROLL CALL |
| 186 | CO. PLNG. & DEV., WAYS & MEANS: Authorizing an agreement with Herkimer-Fulton-Hamilton-Otsego BOCES for services for a 2024 TANF Summer Youth Employment Academic/Work Experience Program | VOICE |
| 187 | WAYS & MEANS: Amending budget in connection with receipt of TANF Summer Youth funds | VOICE |

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, June 12, 2024

7:00 p.m.

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| 188 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Amending Salary Schedule No. V in Sheriff's Department | ROLL CALL |
| 189 | HUMAN RES., WAYS & MEANS: Authorizing contract renewal for electronic medical records system for Herkimer County Mental Health Services | VOICE |
| 190 | WAYS & MEANS: Creating temporary position in Herkimer County Treasurer's Office | ROLL CALL |
| 191 | INFO. SVCS., WAYS & MEANS: Authorizing maintenance agreement with Quadsimia in the Information Services Department | VOICE |
| 192 | NAT. RESOURCES, WAYS & MEANS: Creating accounts and amending budget in connection with Septic System Replacement Program Grant | VOICE |
| 193 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Amending Salary Schedule No. III for Executive Assistant for Indigent Legal Services in the County Attorney's Office | ROLL CALL |
| 194 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Authorizing renewal of Alternatives to Incarceration contracts and amending budget | VOICE |
| 195 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Adopting the 2023 Herkimer County Hazard Mitigation Plan | VOICE |
| 196 | WAYS & MEANS: Amending budget in connection with additional CHIPS funds for 2024 | VOICE |
| 197 | HIGHWAYS: Approving projects under Article 6, Section 116 of the Highway Law | VOICE |
| 198 | HIGHWAYS: With regard to compliance with New York State Highway Law Article 6 Section 118-b in connection with property access for maintenance and drainage in the Town of Salisbury | VOICE |
| 199 | CO. PROPERTIES, WAYS & MEANS: Approving modified agreements between Herkimer County with Herkimer Solar, LLC for the purchase of solar energy credits | VOICE |
| 200 | NAT. RESOURCES, WAYS & MEANS: Awarding contract for the Sewer District | VOICE |
| 201 | NAT. RESOURCES, WAYS & MEANS: Adopting amended policy on payment of quarterly sewer bills for the Herkimer County Sewer District | VOICE |
| 202 | WAYS & MEANS: Authorizing payments for requests from American Rescue Plan funding | VOICE |

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, June 12, 2024

7:00 p.m.

203 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Calling on members of the NYS Senate and Assembly to reform the State's Competency Restoration Process and support the passage of S.1874 (Brouk) / A.5063 (Gunther) in the 2024 Legislative Session VOICE

**Adjourn to Wednesday, July 10, 2024
at 2:00 p.m.**



HERKIMER COUNTY LEGISLATURE

No. 174

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE INFORMATION SERVICES AND CENTRAL PRINTING DEPARTMENTS

Sponsored by: Committee on Information Services

WHEREAS, your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2023, and the Annual Report for the Central Printing Department for the year 2023, respectfully reports that we have examined the same, recommend the adoption of said reports, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Information Services Department and the Annual Report for the Central Printing Department for the year 2023 be approved and placed on file with the Herkimer County Legislature.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 175

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE SHERIFF DEPARTMENT

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 May 22, 2024, submitting a request for a transfer of funds within the commissary account used for inmate supplies, reports that we have examined said communication, inquired into the subject matter thereof, and 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 sum from and to the following accounts:

\$4,000 From: A3150C.25000, Jail Commissary, Other Equipment
 To: A3150C.41000, Jail Commissary, Supplies.

and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 176

REPORT AND RESOLUTION APPOINTING DIRECTOR OF THE HERKIMER COUNTY SOIL AND WATER CONSERVATION DISTRICT

Sponsored by: Committee on Natural Resources

BE IT RESOLVED, that William Weakley, Poland, New York, be, and he hereby is, appointed as Director of the Herkimer County Soil and Water Conservation District, to fill a vacancy, with said terms to be effective through December 31, 2024; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District and the above appointee.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 177

RESOLUTION DESIGNATING MEMBER OF THE LEGISLATURE AS A MEMBER OF THE COUNTY JURY BOARD

Sponsored by: Committee on Public Safety & Emergency Management

RESOLVED, that William Weakley, a member of this County Legislature, be and he hereby is, designated as a member of the County Jury Board as provided by Article 16 of the Judiciary Law; and, be it further

RESOLVED, that the Clerk of this Legislature file a certified copy of this designation in the Office of the Herkimer County Clerk, and forward a certified copy of this Resolution to the Honorable Mark Rose, Supreme Court Justice, the Honorable John H. Crandall, County & Surrogate Court Judge, and the Honorable Deborah H. Karalunas, JSC, New York State Unified Court System, Fifth Judicial District.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 178

REPORT AND RESOLUTION AUTHORIZING ATTENDANCE AT CONFERENCE IN BOARD OF ELECTIONS

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

WHEREAS, Resolution No. 390 of 2023 authorized attendance at conferences for municipal officers and employees during the year 2024, which authorizes both Election Commissioners and one Deputy Commissioner of Elections on an alternating basis to attend the New York State Election Commissioners Association Annual Summer Seminar; and

WHEREAS, by communication dated May 22, 2024, from the Commissioners of Elections, request is made to authorize attendance for both Deputy Commissioners of Elections at the Summer Conference in 2024; now, therefore, be it

RESOLVED, that authorization is given for both Deputy Commissioners of Elections to attend the Summer Conference of the New York State Election Commissioners Association in 2024; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 179

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by letter dated May 21, 2024, Christina Cain, Director of Public Health, has requested to amend Salary Schedule II; and

WHEREAS, by letter dated May 22, 2024, from Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. II should be amended to add one position of Administrative Officer in Account A4010, 35 hours per week, at an annual base salary of \$49,761 per year; now, therefore, be it

RESOLVED, that Salary Schedule No. II be amended to add one position of Administrative Officer in Account A4010, 35 hours per week, at an annual base salary of \$49,761; 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: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 180

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by letter dated May 20, 2024, Christina Cain, Director of Public Health, has requested to amend Salary Schedule III; and

WHEREAS, by letter dated May 22, 2024, from Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to add one position of Account Clerk in Account A4010, at 35 hours per week, at an annual base salary of \$33,324 per year; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to add one position of Account Clerk in Account A4010, at 35 hours per week, at an annual base salary of \$33,324; 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: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 181

REPORT AND RESOLUTION AMENDING BUDGET IN THE PUBLIC HEALTH DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 22, 2024 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2024 Budget to adjust the salary line for Public Health; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended as follows:

A4010.10000-001, Public Health, Salaries From: \$576,491

To: \$801,491

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: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 182

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 355 OF 2023 AUTHORIZING CONTRACTS IN CONNECTION WITH SYSTEM OF CARE GRANT IN PUBLIC HEALTH

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

WHEREAS, Resolution No. 355 of 2023 authorized contracts with various agencies in connection with the System of Care Grant in Public Health; and

WHEREAS, by letter dated May 29, 2024 from Christina Cain, Director of Public Health, she has advised that the contract with Cuda Counseling was not able to be fulfilled and in return was never executed and has requested to cancel the \$86,150.00 contract with Cuda Counseling and replace it with the following:

1. **View Point Clinical Therapy Services, LCSW, PLLC** – Brooke Lewis, 502 Court St., Suite 403, Utica, NY 13502
 - \$26,000.00 for the services of one full time master's level social worker who will provide in-home therapy sessions to System of Care youth and families, as well as in-school or virtual sessions when desired by the client. This contract will run from June 1, 2024 through September 29, 2024, and the costs will cover salary, fringe, travel, meeting attendance, and administration fees
2. **Upstate Caring Partners/Community Health and Behavioral Services** – Geno DeCondo, 125 Business Park Dr., Utica, NY 13502
 - Amend the contract to increase the amount from \$31,647 to \$45,012. This amended contract will increase the level of effort a mental health professional from 35% to 50% and will cover the costs of salary, fringe, meeting attendance, and administration fees (indirect charges). This contract will run from June 1, 2024 through September 29, 2024

now, therefore, be it

RESOLVED, that the above contracts are approved contingent upon County Attorney approval, and that the Chairman is authorized to execute said contracts; 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, Commissioner of Social Services, Integrated County Planner, View Point Clinical Therapy Services, LCSW, PLLC, and Upstate Caring Partners/Community Health and Behavioral Services.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 183

REPORT AND RESOLUTION AWARDING BID FOR VEHICLES, CREATING ACCOUNT, AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated May 22, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that sealed bids were received, opened and read in accordance with law for the purchase of eight (8) Chevy Traverse AWD vehicles, with the lowest bidder, Steet Ponte Chevrolet, 3036 State Route 28, Herkimer, NY, \$36,012.50 each, for a total of \$288,100; and

WHEREAS, said letter further requests authorization for the Chairman to sign a Letter of Intent with New York Bus Sales, Inc., 7765 Lakeport Road, Chittenango, NY, for the purchase of a handicapped accessible Micro Bird Bus in the amount of \$123,219.84; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of eight (8) Chevy Traverse AWD vehicles from Steet Ponte Chevrolet at a cost of \$36,012.50 each, for a total of \$288,100; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to sign a Letter of Intent with New York Bus Sales for the purchase of a handicapped accessible Micro Bird Bus in the amount of \$123,219.84; and, be it further

RESOLVED, that an account be created and an appropriation be made as follows:

\$411,319.84 From: A909, Fund Balance
To: A2960.23000, Ed. Of Handicapped Children, Motor Vehicle

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, Steet Ponte Chevrolet, and New York Bus Sales Inc.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 184

REPORT AND RESOLUTION APPROVING CONTRACT AT HERKIMER COUNTY COMMUNITY COLLEGE

**Sponsored by: Committee on Education
Committee on Ways & Means**

WHEREAS, by letter dated May 22, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has requested the approval of a contract with Daikin Applied Americas, Inc., 13600 Industrial Park Blvd., Plymouth, MN 55441, for the replacement of the chiller in the Technology Center, at a total cost of \$499,878, for turnkey replacement including parts, install, and warranty; and

WHEREAS, letter further advises the payment schedule is as follows:

| | |
|--------------|-----------------------------|
| \$149,963.40 | 30% Down Payment |
| \$199,951.20 | 40% Equipment Arrival |
| \$ 99,975.60 | 20% Installation Completion |
| \$ 49,987.80 | 10% Final Inspection |

now, therefore, be it

RESOLVED, that authorization is given for a contract with Daikin Applied Americas, Inc., for the replacement of the chiller in the Technology Center, at a total cost of \$499,878; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, and Senior Vice President for Administration and Finance of Herkimer County Community College.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 185

REPORT AND RESOLUTION CONCERNING CHANGE ORDER ON CONTRACT FOR RENOVATIONS AT THE COURT STREET BUILDING AND APPROPRIATING FUNDS

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

WHEREAS, by Resolution No. 258 of 2023, this Legislature awarded bids to complete the remodel of the 108 Court Street Building; and

WHEREAS, your Committees have been informed by letter dated May 22, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, that a change order has been presented to accommodate the re-routing of the pneumatic control line, which will increase the cost of the contract by \$1,200.60; and

WHEREAS, said letter further requests an additional appropriation of \$6,000 for the purchase of desks for the Auditor's space; and

WHEREAS, your Committees have reviewed said letter concerning said change order and recommend acceptance of the same; and

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

RESOLVED, that an appropriation within the 2024 budget be made as follows:

\$7,200.60 From: A889N, County Building Reserve
 To: H1620.40000, Project 16-4

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to sign said change order on behalf of the County of Herkimer; and, be it further

RESOLVED, that the Treasurer is authorized to make any necessary adjustments to the interfund transfer accounts; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 186

REPORT AND RESOLUTION AUTHORIZING AN AGREEMENT WITH HERKIMER-FULTON-HAMILTON-OTSEGO BOCES FOR SERVICES FOR A 2024 TANF SUMMER YOUTH EMPLOYMENT ACADEMIC/WORK EXPERIENCE PROGRAM

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

WHEREAS, by letter dated May 21, 2024 from Nicole Wilson, Director of Employment & Training, your Committees have been advised that Herkimer-Fulton-Hamilton-Otsego BOCES has proposed to provide a Summer Youth Employment and Academic Enrichment Educational/Vocational Work Experience Program to thirty (30) 14 and 15 year old eligible participants enrolled in the 2024 TANF (Temporary Assistance to Needy Families) funded Summer Youth Employment Program (SYEP); and

WHEREAS, said letter further asks to enter into an agreement with Herkimer-Fulton-Hamilton-Otsego BOCES for the above purpose for the period of July 8, 2024 through July 31, 2024, at a total cost of \$16,467.93, with said TANF SYEP funds to be provided from the Office of Temporary and Disability Assistance (OTDA) through the Department of Social Services to ETA; now, therefore, be it

RESOLVED, that the Chairman of this Legislature and Director of Employment and Training are hereby authorized to execute an agreement on behalf of the County of Herkimer, with the Herkimer-Fulton-Hamilton-Otsego BOCES to provide services for a Summer Youth Employment and Academic Enrichment Educational/Vocational Work Experience Program to thirty (30) 14 and 15 year old eligible participants enrolled in the 2024 TANF (Temporary Assistance to Needy Families) funded Summer Youth Employment Program, at a cost of \$16,467.93, with said agreement to be for the period of July 8, 2024 through July 31, 2024, and with the terms and conditions of said agreement 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, Director of Employment and Training, and Herkimer-Fulton-Hamilton-Otsego BOCES.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 187

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF TANF SUMMER YOUTH FUNDS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 22, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget to reflect TANF Summer Youth Program funds received from New York State; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended as follows:

REVENUE ACCOUNTS

CD6291-4795, ET-06-24

FROM

\$0

TO

\$194,080

APPROPRIATION ACCOUNTS

CD 6291, ET-06-24, ETA-TANF.10000-001 Salaries
 CD 6291, ET-06-24, ETA-TANF.10100-022 Temp. Emp.
 CD 6291, ET-06-24, ETA-TANF.41000-160 Supplies
 CD 6291, ET-06-24, ETA-TANF.41000-205 Printing
 CD 6291, ET-06-24, ETA-TANF.44000 Contracted Services
 CD 6291, ET-06-24, ETA-TANF.44000-370 Copier
 CD 6291, ET-06-24, ETA-TANF.46100-759 Mileage
 CD 6291, ET-06-24, ETA-TANF.46300 Postage & Freight
 CD 6291, ET-06-24, ETA-TANF.81000 Retirement
 CD 6291, ET-06-24, ETA-TANF.83000 Social Security
 CD 6291, ET-06-24, ETA-TANF.83500 Medicare
 CD 6291, ET-06-24, ETA-TANF.84000 Workman's Comp.
 CD 6291, ET-06-24, ETA-TANF.86000 Health Insurance
 CD 6291, ET-06-24, ETA-TANF.86500 Dental Insurance

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\$ 2,836.41
\$ 25.00
\$ 19,867.93
\$ 150.00
\$ 275.00
\$ 280.00
\$ 7,000.00
\$ 9,000.00
\$ 2,100 .00
\$ 3,600.00
\$ 5,400.00
\$ 125.00

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 & Training.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 188

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. V IN SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated May 20, 2024, Scott Scherer, Sheriff, has requested to amend the Salary Schedule to add two positions of Correction Officer within the Herkimer County Sheriff's Department; and

WHEREAS, by letter dated May 22, 2024, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. V should be amended by adding two additional positions of Correction Officer in Account A3150 at an annual base salary of \$43,000 per year, with these positions at 40 hours per week; now, therefore, be it

RESOLVED, that Salary Schedule No. V is amended to add two positions of Correction Officer at an annual base salary of \$43,000 per year, 40 hours per week; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 189

REPORT AND RESOLUTION AUTHORIZING CONTRACT RENEWAL FOR ELECTRONIC MEDICAL RECORDS SYSTEM FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by letter dated May 22, 2024, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to renew an agreement with TenEleven Group Incorporated of East Amherst, New York, for the provision of an electronic medical records system and ongoing technical support services for Herkimer County Mental Health Services beginning July 27, 2024 through July 26, 2029; and

WHEREAS, the five year contract cost of said system will be \$2,513 per month; now, therefore be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute an agreement with TenEleven Group Incorporated, 2 20th St N 5th Floor, Birmingham, AL 35203, commencing July 27, 2024 through July 26, 2029, for the provision of an electronic medical records system for Herkimer County Mental Health Services at a cost of \$2,513 per month; and, be it further

RESOLVED, that said agreement shall 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, Director of Information Services, Director of Community Services and TenEleven Group Incorporated.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 190

REPORT AND RESOLUTION CREATING TEMPORARY POSITION IN HERKIMER COUNTY TREASURER'S OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 22, 2024 from Kimberlee Enea, County Treasurer, she has requested to create a temporary position to allow for training of new staff under the current County Property Agent; and

WHEREAS, by letter dated May 22, 2024 from Steven R. Billings, Personnel Officer, he has requested to create a temporary, full-time position of County Property Agent, from May 28, 2024 through June 7, 2024 at an annual base salary of \$47,091 in Account A1326; and

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

RESOLVED, that one temporary full-time position of County Property Agent is hereby established at an annual base salary of \$47,091 in Account A1326, effective from May 28, 2024 through June 7, 2024; 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: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 191

REPORT AND RESOLUTION AUTHORIZING MAINTENANCE AGREEMENT WITH QUADSIMIA IN THE INFORMATION SERVICES DEPARTMENT

**Sponsored by: Committee on Information Services
Committee on Ways and Means**

WHEREAS, by letter dated May 22, 2024, from Sheri Ferdula, Budget Officer/
Purchasing Agent, this Legislature is advised of a request to enter into a maintenance agreement
with Quadsimia for technical support and web development for the County website and intranet;
and

WHEREAS, the letter further states that the maintenance agreement with Quadsimia, 412
Main Street, Utica, NY will be for 200 hours at a cost of \$20,000.00 for a one year period of
April 1, 2024 through March 31, 2025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to
execute a maintenance agreement with Quadsimia, 412 Main Street, Utica, NY, for technical
support and web development of the County website and intranet for 200 hours at a cost of
\$20,000.00 for a one year period of April 1, 2024 through March 31, 2025; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 192

REPORT AND RESOLUTION CREATING ACCOUNTS AND AMENDING BUDGET IN CONNECTION WITH SEPTIC SYSTEM REPLACEMENT PROGRAM GRANT

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

WHEREAS, Resolution No. 171 of 2024 authorized the Chairman to sign the Round 4 Septic System Replacement Program grant; and

WHEREAS, by letter dated May 22, 2024 from Sheri Ferdula, Budget Officer/
Purchasing Agent, this Legislature is advised of a request to create accounts and amend the
budget in order to disburse the payments; now, therefore, be it

RESOLVED, that accounts are created and the 2024 Herkimer County Budget is hereby
amended as follows:

Revenue:

| | |
|---|----------|
| A8389A.3989C, Septic Replacement, State Aid | \$75,000 |
|---|----------|

Expense:

| | |
|---|----------|
| A8389A.44000, Septic Replacement, Contracted Services | \$75,000 |
|---|----------|

and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 193

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III FOR EXECUTIVE ASSISTANT FOR INDIGENT LEGAL SERVICES IN THE COUNTY ATTORNEY'S OFFICE

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

WHEREAS, Resolution No. 112 of 2022 established the position of Executive Assistant for Indigent Legal Services; and

WHEREAS, by letter dated May 31, 2024 from Steve Billings, Personnel Officer, this Legislature has been notified of a request to amend Salary Schedule No. III by increasing the base pay for the title of Executive Assistant for Indigent Legal Services from \$37,874.00 to \$42,500.00; and

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

RESOLVED, that Salary Schedule No. III is hereby amended in A1170B to increase the base pay for the title of Executive Assistant for Indigent Legal Services from \$37,874.00 to \$42,500.00, effective June 17, 2024; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the New York State Office of Indigent Legal Services, Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, County Attorney, and Keith D. Bowers, dba Enhanced Representation, Inc.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 194

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF ALTERNATIVES TO INCARCERATION CONTRACTS AND AMENDING BUDGET

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

WHEREAS, by communication dated May 15, 2024, Michael D. Scalise, Director of Probation, advises that the State of New York Division of Criminal Justice Services has approved an extension to the Alternatives to Incarceration Plan and awards for the Pre-trial Release Program and the Community Service Program in the amount of \$12,733 for the period July 1, 2024 through June 30, 2025; and

WHEREAS, by letter dated May 22, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2024 to reflect the additional funding; now, therefore, be it

RESOLVED, that the 2024 Budget be amended as follows:

| | |
|--|----------------|
| A3141.3311, Alt to Incarceration, State Aid | From: \$11,359 |
| | To: \$12,733 |
| A3141.44000, Alt to Incarceration, Contracted Services | From: \$50 |
| | To: \$1,424 |

and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute and e-sign the annual contracts for the Pre-Trial Release Program and Community Service Program for the period of July 1, 2024 through June 30, 2025; 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 Criminal Justice Services.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 195

REPORT AND RESOLUTION ADOPTING THE 2023 HERKIMER COUNTY HAZARD MITIGATION PLAN

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

WHEREAS, the Herkimer County Legislature recognizes the threat that natural hazards pose to people and property within Herkimer County; and

WHEREAS, the Herkimer County Legislature has prepared a multi-hazard mitigation plan, hereby known as the 2023 Herkimer County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2023 Herkimer County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Herkimer County from the impacts of future hazards and disasters; and

WHEREAS, adoption by the Herkimer County Legislature demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2023 Herkimer County Hazard Mitigation Plan; now, therefore, be it

RESOLVED, by the Herkimer County Legislature that:

Section 1. The Herkimer County Legislature adopts the 2023 Herkimer County Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

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: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 196

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH ADDITIONAL CHIPS FUNDS FOR 2024

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 22, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget in connection with the receipt of additional CHIPS funds for 2024; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended as follows:

| | |
|--|---------------------|
| D9552.3501, Interfund Construction, CHIPS | From: \$7,500,000 |
| | To: \$12,988,522.87 |
| D9552.90200, Interfund Construction, Prov. For Cons. | From: \$7,500,000 |
| | To: \$12,988,522.87 |

and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 197

REPORT AND RESOLUTION APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred the letter from Mark Nagele, County Superintendent of Highways, dated May 10, 2024, submitting three copies each of statement under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2024/2025, covering three projects involved in the Capital Construction Program, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption, and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designates work to be done with County Road Fund monies be, and hereby are, approved by the County Legislature of the County of Herkimer for the following projects involved in the Capital Construction Program, to be funded as listed:

| PROJECT NO. | ROAD/LOCATION | TYPE OF PROJECT | ESTIMATED CONSTRUCTION COST |
|-------------|---|--|-----------------------------|
| 435 | Hopson Rd CR 164 & Dutchtown Rd CR 199 Rehabilitation, Town of Salisbury | Rehabilitation | \$2,600,000.00 |
| 436 | Eng. & Design for: *Safety Flag Repairs to BIN 3307800 Newport Rd CR34 Newport *Repair of LC151-10 South Side Rd CR 151 Russia *Repair of LC211-20 Watkins Rd CR211 Schuyler *Repair of LC153-20&LC153-30 Gulf Rd CR153 Winfield | Rehabilitation | \$70,000.00 |
| 437 | Shortlots Rd CR 53 Schuyler BIN 3308130 Construction of Flood Scour Protective Measures | Bridge Flood Scour Protection Measures | \$550,000.00 |

and, be it further

RESOLVED, that these projects will be funded by CHIPS, EWR, and PAVE-NY monies; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 198

REPORT AND RESOLUTION WITH REGARD TO COMPLIANCE WITH NEW YORK STATE HIGHWAY LAW ARTICLE 6 SECTION 118-B IN CONNECTION WITH PROPERTY ACCESS FOR MAINTENANCE AND DRAINAGE IN THE TOWN OF SALISBURY

Sponsored by: Committee on Highways

WHEREAS, by letter of Mark A. Nagele, P.E., County Highway Superintendent dated May 14, 2024, a request has been made for a resolution concerning improving drainage flow from culverts and ditches located on Hopson Road, CR 164, in the Town of Salisbury to alleviate possible roadway flooding from sediments impeding outlet flow; and

WHEREAS, the area in need of improving drainage flow from the culverts and ditches is located on a property in the Town of Salisbury as follows:

Thang Q. Le – Tax Map #103.3-2-42 (Hopson Road, CR 164)

WHEREAS, entry upon the above said lands is necessary for clean-up of the existing run-off channels; and

WHEREAS, as required by New York State Highway Law, Article 6, Section 118-b, the County Highway Department must be authorized by the County Legislature to enter upon said above lands to perform the proposed culvert and draining work; now, therefore, be it

RESOLVED, that the Herkimer County Highway Superintendent is authorized to enter upon the above properties for the purpose of performing clean-up of the existing run-off channels and ditches to alleviate the potential for roadway flooding; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 199

REPORT AND RESOLUTION APPROVING MODIFIED AGREEMENTS BETWEEN HERKIMER COUNTY WITH HERKIMER SOLAR, LLC FOR THE PURCHASE OF SOLAR ENERGY CREDITS

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

WHEREAS, Resolution No. 237 of 2020 authorized Herkimer County to purchase solar energy credits through Herkimer Solar, LLC, 5 Oxford Road, New Hartford, New York 13413; and

WHEREAS, Herkimer County entered into a VDER Value Stack Credit Sales Agreement [hereinafter "Agreement"] with Herkimer Solar, LLC at a discount rate of 16% and a base payment of 5 cents per kWh for a twenty year term, with an annual escalation rate of 1.25%; and

WHEREAS, the parties amended said Agreement on October 1, 2020 to provide for a 16% fixed discount rate for the initial term, and further the Estimated Commercial Operations Date was amended to December 31, 2023; and

WHEREAS, pursuant to the terms of the First Modification agreement, all other terms, provisions, covenants, and conditions of the October 1, 2020 Agreement remained in full force and effect unmodified; and

WHEREAS, Herkimer Solar, LLC has provided a proposed Second Modification Agreement to Herkimer County that would extend the estimated commercial operations date to December 31, 2024 with all prior provisions of the First Modification Agreement remaining in full force and effect unchanged; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign the Second Modification Agreement; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 200

REPORT AND RESOLUTION AWARDING CONTRACT FOR THE HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, by letter dated May 20, 2024, this Legislature is advised that by action on May 15, 2024, the Herkimer County Sewer District Board adopted a Resolution awarding a contract to Syracuse University Environmental Finance Center (SU-EFC) for assistance with the long-term Capital Plan for the Sewer District, at no cost, and said Resolution has been forwarded to the Herkimer County Legislature for approval prior to becoming effective; now, therefore, be it

RESOLVED, that a contract for assistance with the long-term Capital Plan for the Sewer District be entered into with Syracuse University Environmental Finance Center, at no cost; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Sewer District, and Syracuse University Environmental Finance Center.

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 201

REPORT AND RESOLUTION ADOPTING AMENDED POLICY ON PAYMENT OF QUARTERLY SEWER BILLS FOR THE HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, by letter dated May 20, 2024, this Legislature is advised that by action on May 15, 2024, the Herkimer County Sewer District Board adopted a Resolution adopting an Amended Policy on Payment of Quarterly Sewer Bills, and said Resolution amending the Herkimer County Sewer District Policy on Payment of Quarterly Sewer Bills has been forwarded to the Herkimer County Legislature for approval; now, therefore, be it

RESOLVED, that the Herkimer County Sewer District Policy on Payment of Quarterly Sewer Bills adopted on February 16, 2022, as amended on May 15, 2024 is hereby adopted, as attached; and, be it further

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

Dated: June 12, 2024.

Herkimer County Sewer District
Policy on Payment of Quarterly Sewer Bills
(Adopted February 16, 2022)
(Amended May 15, 2024)

The Herkimer County Sewer District (“HCSD”) provides Wastewater Management to the residents of the Towns of German Flatts and Frankfort and the Villages of Ilion, Mohawk and Frankfort. The following represents guidance established for sewer billing and payment.

BILLING:

Sewer bills are generated on a quarterly basis by HCSD, mailed to the property owner’s address on or about the last business day of January, April, July and October.

Payment is due within thirty days of that billing date.

HCSD does accept partial payments. If a partial payment results in a balance due and the balance due is not remitted by the bill due date, HCSD will assess a standard late fee. Overpayments received will be credited to the property owner’s account.

Sewer rates are set by the Herkimer County Sewer District Board (the “Board”) and adjusted from time to time. For more information on the current sewer rates, please contact HCSD at 315-866-6042.

All sewer bills are sent to property owners. HCSD cannot send bills to tenants.

If the property has been sold, please contact the municipal water department in the municipality where your property is located immediately. It is the buyer’s responsibility to notify their water department of any ownership changes.

PAYMENT METHODS:

HCSD is please to offer the following payment methods:

1. In-Person: Cash, personal check, money order paid in person to HCSD at 106 W. Main Street, Mohawk NY 13407. Currently HCSD is open to the public Monday – Friday, 8:00am – 3:30pm. Payment by credit/debit card is available in person (processing fees apply)
Payments are also accepted at Adirondack Bank in Mohawk & Ilion and M&T Bank in Frankfort.
2. By Mail: Personal check or money order mailed to Herkimer County Sewer District, 106 W. Main Street, Mohawk, NY 13407. **Please do not mail cash payments.**
3. Drop Box: Personal check or money order dropped into the Drop Box located at the end of the driveway to the Herkimer County Sewer District, 106 W. Main Street, Mohawk, NY 13407.
Please do not leave cash in the Drop Box.
4. Online: Visit <https://allpaid.com/payments#/plc-search/plc-details/a0010i> (processing fees apply)
5. Bank Bill Pay Option: set up through customer’s bank or other financial institution – request that bank remit payments to Herkimer County Sewer District, 106 W. Main Street, Mohawk, NY 13407. (Bank fees may apply)

HCSD does not accept payments by telephone.

LATE PAYMENT FEES and RELEVY:

Payments received after the billing due date are assessed a late payment fee. For quarterly bills of \$1.00-\$999.99, the late payment fee shall be a flat fee of \$25.00. For quarterly bills of more than \$1,000.00, the late payment fee shall be set at 5% of the amount billed.

Sewer charges that are not paid on or before the last business day in October are relieved to Herkimer County and appear on the real property tax bills issued the following January. Customers may see additional fees associated with such relevy.

RETURNED CHECK POLICY :

HCS D is pleased to allow customers to pay using personal check. Payment by personal check is a privilege and not a right.

If a check is returned for any reason, a returned check fee of \$25.00 will be immediately added to that customer's billing. Further, HCS D will suspend that customer's privilege to pay by personal check indefinitely. That customer must remit all future payments utilizing an alternative and acceptable payment method as set forth herein.

The customer's privilege to pay by personal check may be reinstated as follows:

1. Should the customer believe the returned check was not the error of the customer, the customer may request a review of the account by the Board at a regular meeting of that body. The customer should request such a review by contacting HCS D and requesting to be added to the meeting agenda no later than 24 hours before a regular meeting. The customer may present any and all evidence to the Board as to why the privilege should be reinstated. The customer is encouraged to bring evidence that independently substantiates the customer's position. The Board will render a decision by letter to the customer. The decision of the Board will be considered final.
2. Following timely payment by the customer on six (6) consecutive billings of the account, the customer may make written application to have the privilege reinstated by writing a letter to the Board for consideration. The Board will review such letter application at the following regular meeting of the Board. The customer may request to be added to the agenda and may address the Board but that is not required. The Board will render a decision by letter to the customer. The decision of the Board will be considered final.

The Board meets regularly on the third Wednesday of each month (except the months of August and December) at 6:00pm at the HCS D Office, 106 W. Main Street, Mohawk, NY 13407.

SPECIAL RULES FOR NON-MUNICIPAL WATER USERS:

HCS D acknowledges that some customers within the Herkimer County Sewer District do not have municipal water accounts but rather have a well system for water supply. As HCS D relies upon the municipal water accounts to determine accurate billing for sewer services, HCS D policy for non-municipal water users requires the customer to complete a Sewer Use Affidavit and file same with HCS D. HCS D relies upon this sworn statement of the number of individuals residing at the property location so that HCS D may accurately bill the property owner.

Failure by the property owner to complete and file a Sewer Use Affidavit will result in the property owner being assessed a usage at the rate of five hundred (500) gallons per day.

SEARCHES AND STATEMENTS:

HCS D has established the following Schedule of Fees related to customer requests for account history, searches and statements:

1. Sewer Search on account (typically related to real estate sale) - \$25.00
2. Annual Account Statement - \$10.00

EXCEPTIONAL CIRCUMSTANCES:

HCSD also acknowledges that certain property owners may have exceptional circumstances that require more individualized attention by the HCSD for accurate billing of sewage use. Should a property owner believe that he/she/it has an exceptional circumstance, that property owner must submit a written request to the HCSD Board for review of the account to engage in discussions to determine an accurate method of billing. The written request must include (but not be limited to) the following information:

1. Property owner name
2. Property address
3. Summary of exceptional circumstances affecting sewage use
4. Proposed plan for accurate billing

All written requests will be reviewed by HCSD Board at a regular meeting of that body. The Board will render a decision by letter to the customer. The decision of the Board will be considered final.



HERKIMER COUNTY LEGISLATURE

No. 202

REPORT AND RESOLUTION AUTHORIZING PAYMENTS FOR REQUESTS FROM AMERICAN RESCUE PLAN FUNDING

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 16 of 2023 authorized \$50,000 of the County's American Rescue Plan funding to each Legislator to distribute within their districts as they see fit; and

WHEREAS, by letter dated May 22, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, she has advised that communications have been received requesting funding and has been approved for payment by the Legislator receiving the request for payment as follows:

| | | | |
|--------------------------|---------|----------|--|
| Village of Herkimer | \$750 | Malta | Brookwood Market Picnic Tables |
| City of Little Falls | \$4,000 | Ackerman | 2 years of field rent for youth programs |
| City of Little Falls | \$2,000 | Ackerman | Lights at Veterans Field |
| Youth & Family Center | \$5,000 | Ackerman | Canal Celebration |
| Youth & Family Center | \$8,000 | Ackerman | Restoration of Locker Rooms & Pool |
| Youth & Family Center | \$2,000 | Ackerman | Youth Wrestling |
| Little Falls High School | \$4,000 | Ackerman | Scoreboard |
| Youth & Family Center | \$5,000 | Ackerman | Workout Equipment |
| City of Little Falls | \$5,000 | Ackerman | Moreland Park |

now, therefore, be it

RESOLVED, that authorization is given for payment to the above recipients in the amounts listed; and, be it further

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

Dated: June 12, 2024.



HERKIMER COUNTY LEGISLATURE

No. 203

RESOLUTION CALLING ON MEMBERS OF THE NEW YORK STATE SENATE AND ASSEMBLY TO REFORM THE STATE'S COMPETENCY RESTORATION PROCESS AND SUPPORT THE PASSAGE OF S.1874 (BROUK) / A. 5063 (GUNTHER) IN THE 2024 LEGISLATIVE SESSION

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Human Resources**

WHEREAS, section § 730 of the Criminal Procedure Law (CPL) provides that defendants charged with felonies who are mentally ill and/or developmentally disabled and who are determined by a court to be unable to understand the charges against them or participate in their own defense (often called "730's") are sent to New York State-operated forensic hospitals solely for the purpose of trying to restore them to competency so they can stand trial; and

WHEREAS, the origin of CPL § 730 dates back over five decades to the laws of 1970, and parts of it have been declared to be unconstitutional; and

WHEREAS, competency restoration provides necessary medications but primarily provides services such as courtroom training to familiarize the defendant with courtroom procedures so they can participate in their trial; and

WHEREAS, many judges incorrectly believe that by ordering a 730 commitment, they are helping the mentally ill or developmentally disabled person to get treatment; and

WHEREAS, in the cases for which restoration is appropriate, most defendants can generally be restored within 90-150 days; and

WHEREAS, unfortunately, there are also numerous situations where defendants have been kept in restoration for periods of three, six, or even 10 years; and

WHEREAS, these lengthy confinements have been declared to be unconstitutional by the U.S. Supreme Court as shown in the case of Jackson v. Indiana (1972), which provides that states may not indefinitely confine criminal defendants solely on the basis of incompetence to stand trial; and

WHEREAS, the Office of Mental Health (OMH) has diverged from agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and

WHEREAS, the SFY 2020-21 budget required counties to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; and

WHEREAS, as the full payors of these services, the commissioners must have timely access to any pertinent client information as deemed necessary to effectively manage their responsibilities under the Mental Hygiene Law; and

WHEREAS, the county cost of these services is over \$1,300 per day and current statute does not require a timeline be established for when a defendant is unable to be restored; and

WHEREAS, the county cost of restoration for one defendant can be upwards of \$400,000 per year; and

WHEREAS, in New York State, counties, through the county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness, and the requirement to assume 100% of 730.20 competency restoration costs has taken away millions of dollars from critical behavioral health programming in the community; and

WHEREAS, given the advances in the behavioral health and the modernization of the criminal justice system, it is time for the State to reform the statutory authority governing competency restoration to ensure that only individuals who are appropriate subjects of 730 court orders are sent for restoration in accordance with the current state of these two systems; and

WHEREAS, the Legislature has introduced S.1874 (Brouk)/A.5063 (Gunther), which seeks to address the reforms necessary to update the archaic requirements of current statute, many which have been deemed unconstitutional and includes a critical requirement to reinvest any savings derived by the counties back into the local mental hygiene systems of care; now, therefore, be it

RESOLVED, CPL § 730.10 shall be modified to make clear that restoration is not mental health treatment, so the judiciary is better informed that a 730 order does not treat underlying mental health conditions; and, be it further

RESOLVED, CPL § 730.20 shall be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tell the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment; and, be it further

RESOLVED, OMH will consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and, be it further

RESOLVED, CPL § 730.20 shall adjust the fee for reimbursing psychiatric examiners; and, be it further

RESOLVED, CPL § 730.50 shall limit the time defendants are ordered for restoration services; and, be it further

RESOLVED, MHL § 9.33 shall allow individuals to be transferred to Article 9 facilities if it is determined that a defendant is unable to be restored; and, be it further

RESOLVED, MHL § 43.03 shall require Local Governmental Units (counties) to reinvest savings from these reforms into community mental health services; and, be it further

RESOLVED, Herkimer County calls on the State to support all provisions outlined in S.1874 (Brouk)/A.5063 (Gunther); and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Kathy Hochul, Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, Senator Joseph A. Griffo, New York State Association of Counties; and Director of Community Services.

Dated: June 12, 2024.