

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Fourth Day**  
**Wednesday, March 11, 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 Beth Sadlon, Director of Real Property, 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, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Absent: None.

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 February 12, 2020. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individuals spoke on the topic listed: Donald Mochrie – County Code Officer, and Trevor Judson – 2A.

No. 96 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 97 – A communication was received from the Herkimer County Sewer District advising of new Vice-Chairman. Filed.

No. 98 – A communication was received from the Director of Office for the Aging submitting letter of contract renewal with Red Door Dairy Store for home delivered and congregate meals for West Winfield. Filed.

No. 99 – A communication was received from the County Auditor submitting copies of the application for corrected tax rolls. Filed.

No. 100 – A communication was received from the Highway Superintendent advising of a request for assistance with cleanup in the Town of Salisbury. Referred to the Committee on Highways.

No. 101 – A communication was received from the Herkimer County Historical Society expressing thanks to the Legislature. Filed.

No. 102 – A communication was received from the County Property Agent requesting approval for a 7% County levy fee. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 103 – A communication was received from the Director of Emergency Services requesting approval of agreement for service of backup generators in Emergency Services. Referred to the Committee on Public Safety & Emergency Management.

No. 104 – A communication was received from the County Clerk submitting 2019 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 105 – A communication was received from the Highway Superintendent submitting 2019 Annual Report. Referred to the Committee on Highways.

No. 106 – A communication was received from the Director of Information Services submitting 2019 Annual Report for Information Services. Referred to the Committee on Information Services.

No. 107 – A communication was received from the Director of Information Services submitting 2019 Annual Report for Central Printing. Referred to the Committee on Information Services.

No. 108 – A communication was received from the Director of Real Property submitting 2019 Annual Report. Referred to the Committee on Ways & Means.

No. 109 – A communication was received from the Budget Officer/Purchasing Agent requesting adoption of the County's Purchasing Policy. Referred to the Committee on Ways & Means.

No. 110 – A communication was received from the Herkimer County Sewer District recommending appointment of board member. Referred to the Committee on Natural Resources.

No. 111 – A communication was received from the Herkimer County Sewer District submitting Resolution for appointment of Chairman. Referred to the Committee on Natural Resources.

No. 112 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds for use by the TPA for the I Love NY Program. Referred to the Committee on Ways & Means.

No. 113 – A communication was received from the Budget Officer/Purchasing Agent requesting Budget amendment in Highway Department. Referred to the Committee on Ways & Means.

No. 114 – A communication was received from the Budget Officer/Purchasing Agent approving bid for sweepers in Highway Department. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 115 – A communication was received from the Sheriff requesting renewal of agreement with Black Creek Integrated Systems support plan for SallyPort. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 116 – A communication was received from the Personnel Officer requesting amendment to Salary Schedules II and V in Sheriff's Office. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 117 – A communication was received from the Budget Officer/Purchasing Agent approving agreement for County copiers. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 118 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers in ETA. Referred to the Committee on Ways & Means.

No. 119 – A communication was received from the Director of Employment & Training requesting MOU with NYS Labor Department for office space at Working Solutions. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 120 – A communication was received from the Senior VP for Admin. & Finance at HCCC submitting Resolution of Board of Trustees for Esports Center at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 121 – A communication was received from the Deputy Director of Information Services requesting approval of contract with Northland Communications for MPLS Data Lines and Services for new jail. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 122 – A communication was received from the Director of Information Services requesting purchase for a HP Nimble Storage Array in Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 123 – A communication was received from the Director of Public Health requesting grant extension for Maternal Child Health in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 124 – A communication was received from the Director of Office for the Aging requesting renewal of contracts for EISEP in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 125 – A communication was received from the Director of Office for the Aging requesting renewal of contract with Plan It Staffing for Unmet Needs Program in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 126 – A communication was received from the Director of Office for the Aging requesting renewal of contract with Catholic Charities for HIICAP in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 127 – A communication was received from the Director of Office for the Aging requesting renewal of contract with DSS for NY Connects in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 128 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept funds, create accounts and amend 2020 budget for transportation from HealthNet in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 129 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to the 2020 Budget to add additional funding for the IIE Respite Program in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 130 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and amending 2020 budget for Age Friendly Planning Grant in Office of the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 131 – A communication was received from Senator James L. Seward advising of need for Home Rule Request. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 132 – A communication was received from the County Administrator requesting to accept a grant and authorize contracts in connection with the 2020 Census. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 133 – A communication was received from the Budget Officer/Purchasing Agent requesting to create accounts and amend 2020 budget in connection with the 2020 Census. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 134 – A communication was received from the New York State Department of Public Service advising of Public Statement Hearing on the Marcy to New Scotland Upgrade Project. Filed.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Mr. Stephens gave an update about Bail Reform and how first responders are protected.

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

For: Ayes (17).

Against: None.

Absent: None.

**Consent Agenda:**

- 67 ADMIN./VETS AFFAIRS: Adopting Annual Report of County Clerk
- 68 HIGHWAYS: Adopting Annual Report of County Superintendent of Highways
- 69 INFO. SVCS: Adopting Annual Report of Information Services and Central Printing Departments
- 70 WAYS & MEANS: Adopting Annual Report of the Real Property Tax Service Agency
- 71 WAYS & MEANS: Adopting Policies and Procedures for Purchase of Goods and Services
- 72 NAT. RESOURCES: Designating member to Herkimer County Sewer Board
- 73 NAT. RESOURCES: Approving Sewer District Resolution appointing Chairman

The Chairman continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 74 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, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 75 sponsored by the Committee on Ways and Means amending 2020 budget in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 76 sponsored by the Committee on Highways and the Committee on Ways & Means awarding bid for two road sweepers in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 77 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving renewal of agreement for Sallyport Inmate Management System at Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 78 sponsored by the Committee on Public Safety & Emergency Management and the Committee on

Ways & Means amending Salary Schedule No. II and No. V for position change in Sheriff's Office was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Johnson, seconded by Mr. Keeler, Report and Resolution No. 79 sponsored by the Committee on County Properties and the Committee on Ways and Means awarding contract for photocopier service for departments of the County was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Stephens, Report and Resolution No. 80 sponsored by the Committee on Ways and Means authorizing transfers of funds in Employment and Training was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 81 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means authorizing entering into Memorandum of Understanding (MOU) with the State of New York for the One-Stop Career Center was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Gaworecki, seconded by Mr. Stephens, Report and Resolution No. 82 sponsored by the Committee on Education and the Committee on Ways and Means approving the establishment of an Esports Center at Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Donley, seconded by Mr. Schrader, Report and Resolution No. 83 sponsored by the Committee on Information Services and the Committee on Ways and Means authorizing contract for MPLS (Multiprotocol Label Switching) Data Lines was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 84 sponsored by the Committee on Information Services and the Committee on Ways & Means approving purchase of equipment for Information Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Shaw, seconded by Mr. Malta, Report and Resolution No. 85 sponsored by the Committee on Human Resources and the Committee on Ways and Means extending grant in Public Health was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 86 sponsored by the Committee on Human Resources and the Committee on Ways and Means concerning services in connection with the Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Schrader, seconded by Mr. Ackerman, Report and Resolution No. 87 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contract with Plan It Staffing for the Unmet Needs Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

Chairman Bono then welcomed the students who were present and asked them to please stand and state their name and what school district they were from.

On motion of Mr. Shaw, seconded by Mr. Donley, Report and Resolution No. 88 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contract renewal for HIICAP funding for the Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Gaworecki, seconded by Mr. Malta, Report and Resolution No. 89 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contract between Office for the Aging and Department of Social Services in connection with Balance Incentive Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 90 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending budget in connection with transportation services for Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 91 sponsored by the Committee on Human Resources and the Committee on Ways and Means accepting additional funding and amending budget for Respite Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Malta, seconded by Mr. Johnson, Report and Resolution No. 92 sponsored by the Committee on Human Resources and the Committee on Ways and Means accepting grant, authorizing contract, and creating accounts in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 93 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means accepting grant, authorizing contracts, establishing accounts, and amending budget in connection with the 2020 Census was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Weakley, seconded by Mr. Malta, Resolution No. 94 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means Opposing the Governor's proposed Medicaid cost-shift and calling on the Governor and New York State Legislature to preserve the zero percent Medicaid growth cap was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Manno, seconded by Mr. Shaw, Resolution No. 95 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing home rule request was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Gaworecki, seconded by Mr. Ackerman, Resolution No. 96 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing home rule request was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.



On motion of Mr. Stephens, seconded by Mr. Smith, Resolution No. 97 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing home rule request was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Gaworecki, seconded by Mr. Russell, Resolution No. 98 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing home rule request; was handed up; voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

On motion of Mr. Campione, seconded by Mr. Ackerman and Mr. Smith, Resolution No. 99 In Memoriam for Roger Stock, former Mayor of the City of Little Falls, was handed up; Several Legislators made comments. The resolution was voted on and adopted by voice vote:

For: Ayes (17).                      Against: None.                      Absent: None.

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

At 7:30 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, April 1, 2020 at 2:00 p.m.

Brittney R. Viscomi, Clerk



## HERKIMER COUNTY LEGISLATURE

No. 67

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY CLERK

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

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of Sylvia M. Rowan, County Clerk, pertaining to monies received by her office for the period ending December 31, 2019, respectfully reports and offers the following Resolution:

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 68

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY SUPERINTENDENT OF HIGHWAYS**

**Sponsored By: Committee on Highways**

WHEREAS, your Committee on Highways, to which was referred the Annual Report for 2019 of the County Highway Superintendent, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2019 Annual Report of the County Superintendent of Highways be adopted and placed on file with the Herkimer County Legislature for the year 2019.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 69

### **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 2019, and the Annual Report for the Central Printing Department for the year 2019, 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 2019 be approved and placed on file with the Herkimer County Legislature.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 70

### **REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF THE REAL PROPERTY TAX SERVICE AGENCY**

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

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of the Real Property Tax Service Agency, submitting the 2019 Annual Report of the Herkimer County Real Property Tax Service Agency, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2019 Annual Report of the Herkimer County Real Property Tax Service Agency hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2019.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 71

### **REPORT AND RESOLUTION ADOPTING UPDATED POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES**

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

WHEREAS, by letter dated February 11, 2020, from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to adopt an updated Herkimer County Purchasing Policy for 2020; now, therefore, be it

RESOLVED, that the attached Policies and Procedures for Purchase of Goods and Services be, and hereby are, adopted as the official policies of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to each department head in the County.

Dated: March 11, 2020.

**HERKIMER COUNTY**  
**POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES**

**I.** All contracts for public works involving an expenditure of more than Thirty-five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of more than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature, shall be awarded to the lowest responsible bidder as provided by Article 5-A of the General Municipal Law.

**II.** All contracts for public works involving an expenditure of less than Thirty-Five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of less than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature or purchased off of State Contract, shall be procured in compliance with the following procedures:

- A. These procedures are adopted to assure the prudent and economical use of public money, and to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost and to guard against favoritism, extravagance, fraud and corruption.
- B. The Purchasing Agent, and any other officer or employee of Herkimer County authorized to make or recommend purchase of goods and services, in cooperation with the Purchasing Agent, shall, in all appropriate cases, survey the marketplace to determine the probable cost of any goods and/or services required by the County. If it is deemed probable that the cost will exceed the aforesaid limits of \$20,000.00 and \$35,000.00 paragraph "I" shall control. In all other cases, these procedures shall be followed. The Purchasing Agent shall document action taken to make such determination when appropriate.
- C. Dollar limits for purchase of goods and services are adopted as follows:

| <b>DOLLAR LIMIT</b> | <b>PROCEDURE</b>  |
|---------------------|---|
| \$1 - \$2,000       | At the discretion of the Purchasing Department.   |
| \$2,001 - \$10,000  | Documented verbal quotes from at least three separate vendors (if available) and consultation with the Purchasing Department to determine delivered or installed costs. |

\$10,001-\$20,000 Documented written quotes from at least three separate vendors (if available) and consultation with the Purchasing Department and appropriate Committee of the Legislature, (to include State Contract Purchases) to determine delivered or installed costs.

Over \$20,000 Sealed bids in conformance with the General Municipal Law.

D. Dollar limits for purchase of public works are adopted as follows:

| <b>DOLLAR LIMIT</b> | <b>PROCEDURE</b> |
|---------------------|------------------|
|---------------------|------------------|

|               |  |
|---------------|--|
| \$1 - \$2,000 | At the discretion of Purchasing Department |
|---------------|--|

|                    |   |
|--------------------|---|
| \$2,001 - \$10,000 | Documented verbal quotes from at least three separate sources (if available) and consultation with the Purchasing Department. |
|--------------------|---|

|                     |   |
|---------------------|---|
| \$10,001 - \$35,000 | Documented written quotes from at least three separate sources and consultation with the Committee of the Legislature involved. |
|---------------------|---|

|               |  |
|---------------|--|
| Over \$35,000 | Sealed bids in conformance with the General Municipal Law. |
|---------------|--|

E. The above policies apply also to the Highway Department except that the requirement to consult with the Purchasing Department applies only to purchases requiring the specific authorization of the Legislature.

### **III. AWARDING PURCHASES**

A. Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor providing the goods are of equal values.

B. Use of alternative purchasing methods including NYS Contracts, Contracts of other New York State Municipalities, "Piggybacking" on other governmental contracts, federal contracts, cooperative purchasing, preferred source, sole source and emergency purchases shall be governed by the provisions of New York State General Municipal Law, Sections 103, 104 or 104-B or State Finance Law, Section 162 or other applicable provisions of law and properly documented.

C. Best Value: The specific non-price criteria to be used for Best Value purchases



must be detailed in the price solicitation and the analysis of the resulting quotes or bids using the specified criteria must be documented. The documentation should include cost benefit analysis where possible. Award for purchases can then be made to the bidder deemed to be the Best Value to the County with all of the aspects of the Purchasing Policy remaining the same, as per Herkimer County Local Law.

- IV. A. All purchases of goods or services (except transcription services, utilities, unscheduled repairs and otherwise authorized services) require a purchase order. Contracts up to \$10,000 may be signed by the department head provided all other purchasing policies, laws and resolutions of the Legislature are complied with and documented. All such contracts must be reviewed by Purchasing Department for compliance with Purchasing Policy prior to signing.

V. **PROFESSIONAL SERVICES PROCUREMENT POLICY**

Purchases of professional services, which are not required to be bid by State law, shall be governed by the following principles and practices:

- A. Contracts shall be executed for professional services, when appropriate, to delineate the services to be rendered and the method and amount of payment.
- B. Staff who seek approval to purchase professional services must seek to generate proposals to perform these services that are as appropriate to the County's needs and as cost-competitive as possible, by use of RFP's or RFQ's, etc. RFQ's may be used prior to RFP's or independently.
- C. The process to be followed in each new or renewal contract for professional services shall be proposed by the departmental staff person responsible for the services to the appropriate committee of the Legislature. The Purchasing Department must be copied (except for Highway fund requests) prior to consideration and approval by the appropriate Committee. The hiring of those professionals may be authorized by the appropriate committee up to \$10,000. The full Legislature must approve professional services over \$10,000 annually or if additional funds must be appropriated (such as with grants).
- D. Where alternative quotes or proposals are obtained, awards to an entity other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.
- E. For certain types of procurements of professional services, the solicitation of alternative proposals or quotations would not be in the best interest of the County, for example, highly specialized services for which the number of qualified and

available professionals is limited. In those instances, the hiring of those professionals may be authorized by the appropriate committee up to \$10,000 annually. The full Legislature must approve the contract if over \$10,000 annually without alternative quotes or RFP's after presentation to the committee of the justification for such a determination with the appropriate documentation.

- F. Any and all procedures not specifically addressed in this policy shall be governed by Section 103 or 104-b of the General Municipal Law.

**VI.** Any purchases of goods or services from an employee of Herkimer County or an immediate family member must be approved by the appropriate committees of the Legislature in addition to all other requirements.

**VII.** The following employees are authorized to make general purchases for Herkimer County (The list must be updated bi-annually):

- S. Ferdula, Budget Officer/Purchasing Agent
- P. Lumia, Deputy Purchasing Agent
- M. Nagele, County Highway Superintendent
- J. Lindholm, Deputy County Highway Superintendent
- K. Enea, Treasurer (credit card only)

**PROCUREMENT REQUIREMENTS FOR FEDERAL AWARDS  
Updated 1/3/2019**

All purchases from new federal awards and incremental funding to existing awards must comply with Uniform Guidance requirements outlined in Title 2 of the Code of Federal Regulations, Subtitle A, Chapter II, Part 200. The following procedures will be incorporated and in addition to the Herkimer County Purchasing Policy.

**STANDARDS OF CONDUCT**

- No employee, officer, or agent will participate in the selection, award, or administration of a contract supported by federal monies if he or she or any member of his or her immediate family is employed or about to be employed, or a partner, officer or agent in the contracting organization or has a financial or other interest in or will receive a tangible personal benefit from a firm considered for the contract.
- Officers, employees and agents must neither solicit nor accept gratuities, favors or any item of monetary value from contractors or parties to subcontracts.

**PRE - PROCUREMENT PROCEDURES**

- Measures must be taken to avoid any duplicate or unnecessary purchases of services, equipment or supplies.
- Look for opportunities to consolidate or split up purchases to save money or time and document your findings.

- Weigh the options of leasing and purchasing to discover which is more economical.
- Utilize State and Federal contracts to obtain the best aggregate pricing.
- Investigate State and Federal surplus auctions.

## **COMPETITION**

- Procurements must be conducted in a manner providing full and open competition.
- In order to eliminate unfair competitive advantages the following restrictive practices are prohibited:
  - Placing unreasonable requirements on firms in order for them to qualify to do business
  - Requiring unnecessary experience and excessive bonding
  - Noncompetitive pricing practices between firms or between affiliated companies
  - Noncompetitive contracts to consultants that are on retainer contracts
  - Organizational conflicts of interest
  - Specifying a “brand name” product instead of allowing an equal product to be offered and describing the performance or other relevant requirements of the procurement
  - Any arbitrary action in the process.

## **PROCUREMENT METHODS**

- Purchases up to \$3,000 (Micro Purchases)
  - The purchase of supplies or services where the aggregate amount does not exceed \$3,000 should follow normal Herkimer County Purchasing Policy procedures.
- Purchases between \$3,000 and \$150,000 (Small Purchases)
  - Procedure should be based on existing Herkimer County Purchasing Policy procedures.
- Purchases over \$150,000
  - Sealed bids
    - Complete, adequate, realistic specifications
    - Two or more bidders must be willing and able to compete for the business
    - The procurement must lead to a firm fixed price contract and selection must be based on price.
  - Competitive Proposals
    - Used when conditions are not appropriate for sealed bids
    - Requests for proposals must be publicized and identify evaluation factors and their importance.
    - Must be solicited from an adequate number of sources
    - Must have a written method for technical evaluations and selection
    - To be used for qualifications based procurement of architectural/engineering professional services
  - Non-Competitive Proposals
    - Proposal from only one source
    - The item or service is only available from one source
    - An emergency for the requirement will not permit a delay resulting from competitive solicitation

- After solicitation from a number of sources, competition is determined inadequate.

### **SMALL, MINORITY AND WOMENS BUSINESS ENTERPRISES OR LABOR SURPLUS FIRM**

- Affirmative action steps must be taken to assure that minority and women owned enterprises and labor surplus area firms are used whenever possible.
  - Place small and minority businesses and women owned businesses on solicitation lists
  - Assure small and minority businesses and women owned businesses are solicited when they are potential bidders.
  - Divide contract requirements into smaller tasks or quantities to permit maximum participation
  - Establish delivery schedules that encourage small and minority businesses and women owned businesses
  - Utilize the Small Business Administration and the Minority Business Development Agency and the Department of Commerce
  - Require prime contractors to take affirmative steps when dealing with subcontractors.

### **RECOVERED MATERIALS**

- Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, requires Political Subdivisions to procure only items designated in the guidelines of the Environmental Protection Agency at 40 CFR part 247. Items exceeding \$10,000 in purchase price or value, must contain the highest percentage of recovered materials consistent with maintaining a satisfactory level of competition

### **CONTRACTS COST AND PRICE**

- Every procurement in excess of the Simplified Acquisition Threshold (\$150,000) must have a cost or price analysis including modifications to existing contracts. An estimate should be created before proposals are solicited.
- Profit must be negotiated as a separate element of the price for contracts in which there is no price competition and in every case where cost analysis is performed
- Costs or prices based on estimations are only allowable to the extent that costs incurred or cost estimates included in negotiated prices are allowable if the County has requested prior approval which should include the timeframe or scope of the agreement and be submitted not less than 30 days before the requested action is set to occur.
- Adjustments to the indirect cost rates resulting from a determination of unallowable costs being included in the rate proposal may result in the reissuance of the negotiated rate agreement.
- Financial records, supporting documents, statistical records and all other records pertaining to the award must be retained for a period of three years from the date of submission of the final expenditure report, or, for awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, as reported to the Federal awarding agency or pass through entity in the case of a sub recipient. The following exceptions apply:

- If a litigation, claim or audit is started or filed in the three year period, records must be kept until it has been resolved
- When notified by the Federal Agency to extend the retention
- Records for real property and equipment must be retained for 3 years after disposal
- If records are transferred to or maintained by the Federal awarding agency or pass through entity
- Program income transactions after the period of performance must be retained starting from the end of the County's fiscal year in which the program income is earned.
- Negotiated indirect cost rate proposals, cost allocations plans and similar reports must be retained for the 3 year period from the date of submission
- Non negotiated reports must be retained for 3 years from the end of the fiscal year covered by the plan.

#### **FEDERAL AWARDING AGENCY OR PASS THROUGH ENTITY REVIEW**

- The County must make available upon request the technical specifications on proposed procurements where the Federal awarding agency or pass-through believes such a review is needed to ensure the item or service is the one being proposed.
- The County must make available pre procurement documents when:
  - Procurement procedures or operations fail to comply with standards
  - The procurement exceeds the Simplified Acquisition Threshold and is to be awarded without competition
  - The procurement specifies a "brand name"
  - The contract is to be awarded to any other than the low bidder
  - A modification changes the scope of a contract or increases the amount by more than the Simplified Acquisition Threshold
- The County may request a review to ensure compliance with the standard.
- The County may "self-certify" its procurement system, however, such certification must not limit the Federal agency's right to survey the system.

#### **BONDING REQUIREMENTS**

- The County bonding policy for construction or facility improvement contracts or sub contracts exceeding the Simplified Acquisition Threshold may be accepted by the Federal awarding agency if they make the determination that the Federal interests are protected.
- Bids must contain a bid bond, certified check or other negotiable instrument equivalent to 5% of the bid as a guarantee
- Performance bonds covering 100% of the contract must be issues in the event the contractor defaults.
- Payment bonds covering 100% of the contract to ensure payment of all persons supplying labor and materials.

#### **REQUIREMENTS FOR PASS THROUGH ENTITIES**

- The County may receive concurrent Federal awards as a recipient, a sub recipient and a contractor depending on its agreements with the Federal Agency and pass through entity. A

determination must be made on a case by case basis whether agreements made for distribution of program funds cast the party receiving the funds in the role of a sub recipient or a contractor.

- Sub recipients – the County must identify:
  - Name
  - Entity identifier (EIN)
  - Federal Award Identification Number
  - Period of performance
  - Amount of Federal Funds Obligated to the sub recipient
  - Total amount of Federal funds obligated to the sub recipient including the current award
  - Federal award project description
  - Name of the Federal awarding agency, pass through entity and contact information of awarding official of the pass through entity.
  - The dollar amount of each Federal award and the CFDA number at the time of Disbursement
  - Whether the award is R & D and indirect cost
  - All requirements imposed by the County on the sub recipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the award.
  - Any additional requirements to meet the County's own responsibility to the Federal Agency
  - An approved federally recognized indirect cost rate negotiated between the sub recipient and the Federal Government, or if no rate exists, the rate negotiated between the County and the sub recipient
  - A requirement that the sub recipient permit the County and auditors to have access to the sub recipients records and financials as necessary
  - Appropriate terms and conditions concerning closeouts.
- The County must evaluate each sub recipient's risk of noncompliance for the purpose of determining the appropriate monitoring which may include factors such as:
  - Prior experience with same or similar sub awards
  - Previous audit results
  - Changes in personnel or systems
  - Results of the Federal Award agency monitoring – if sub recipient receives other awards
- The County should consider imposing specific conditions upon the sub recipient if appropriate
- The County should monitor the activities of the sub recipient to ensure the sub award is used for the intended purpose and goals are achieved by:
  - Monitoring financial statements and performance reports
  - Follow up on deficiencies notes through audits, review and other means.
  - Issue a Management Decision for findings pertaining to the award
- The following monitoring tools may be helpful to ensure proper accountability and compliance:
  - Providing sub recipients with training and technical assistance on program related matters

- Performing on site reviews of the sub recipients program operations
  - Arranging for agreed upon procedure engagements
- The County should verify that every sub recipient is audited as required by Subpart F – Audit requirements set forth in 200.501
- The County should consider whether or not the sub recipients audit results, on site reviews or other monitoring indicate conditions that necessitate adjustments to the County’s own records.
- Take enforcement action against non-compliant sub recipients as described in 200.338.

**CONTRACT PROVISIONS**

- The County contracts must contain the applicable provisions described in Appendix II to Part 200, Contract Provisions for Non-Federal Entity Contracts (attached).



## HERKIMER COUNTY LEGISLATURE

No. 72

### **REPORT AND RESOLUTION DESIGNATING MEMBER TO HERKIMER COUNTY SEWER BOARD**

**Sponsored by: Committee on Natural Resources**

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 59 for the year 1983 determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board and appointed the chief executive officer or their designees of the Villages of Ilion, Frankfort and Mohawk and the Towns of Frankfort and German Flatts as members of said Board; and

WHEREAS, by letter dated February 19, 2020 from the Herkimer County Sewer District, your Committee has been advised that the Town of German Flatts has submitted a letter for appointment of the Chief Executive Officer of the Town of German Flatts for a five year term; now, therefore, be it

RESOLVED, that L. Peter Rovazzi, Supervisor of the Town of German Flatts is hereby appointed to the Herkimer County Sewer District Board for a five year term to expire on 2/28/2025; and, be it further

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

Dated: March 11, 2020.





## HERKIMER COUNTY LEGISLATURE

No. 73

### **REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION APPOINTMENT CHAIRMAN OF SEWER BOARD**

#### **Sponsored by: Committee on Natural Resources**

WHEREAS, by letter dated February 25, 2020, this Legislature is advised that the Herkimer County Sewer Board adopted a resolution on January 15, 2020 appointing Joseph D. Annese as Chairman of the Sewer Board; and

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

RESOLVED, that this Legislature approves a resolution duly adopted by the Herkimer County Sewer District Board on January 15, 2020 appointing Joseph D. Annese to the position of Chairman of the Sewer Board; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 74

### REPORT AND RESOLUTION APPROPRIATING FUNDS

#### Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated February 20, 2020, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation in the budget is necessary to allow for monies to be allocated for use by the TPA for the I Love NY Program; 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 and budget amendment in the 2020 budget be made as follows:

#### **Appropriation:**

\$40,000      From: A1990.46000, Contingent Fund, Miscellaneous Expense  
                 To:    A6410.44000, County Promotion, Contracted Services

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Town of Webb and the New York State I LOVE NY Program.

Dated: March 11, 2020.



**HERKIMER COUNTY LEGISLATURE**

No. 75

**REPORT AND RESOLUTION AMENDING 2020 BUDGET IN HIGHWAY DEPARTMENT**

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

WHEREAS, by letter dated February 14, 2020 from Sheri A. Ferdula, Budget Officer, your committee is advised that a budget amendment is necessary in the 2020 budget in the Highway Department to purchase a new trailer; now, therefore be it

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

|   |                |
|---|----------------|
| DM5130.2680, Road Machinery, Insurance Recoveries | FROM: \$0      |
|   | TO: \$16,150   |
| DM5130.25000, Road Machinery, Other Equipment     | FROM: \$20,000 |
|   | TO: \$36,150   |

Now, therefore be it

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 76

### REPORT AND RESOLUTION AWARDING BID FOR TWO ROAD SWEEPERS IN HIGHWAY DEPARTMENT

**Sponsored by: Committee on Highways  
Committee on Ways and Means**

WHEREAS, by letter dated February 13, 2020, Mark Nagele, Superintendent of Highways, has advised that bids were received for two (2) Self Propelled Road Sweepers and recommends the bid be awarded to J & J Equipment, LLC; and

WHEREAS, by letter dated February 14, 2020, from Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that bids were opened and read aloud in the Office of the Purchasing Agent on February 3, 2020 and confirms the recommendation of the Highway Superintendent; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of the below listed road sweepers for the Herkimer County Highway Department:

**(2) 2019 Units #SB12 and SB13**

Used Superior MidMount Broom Model DT74J Sweepers w/ Tier 4 Final John Deer Diesel Engine  
\$52,995 each  
(105,990 total)

*J & J Equipment, LLC*  
8913 Terek Drive  
Brewerton, NY 13029

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 J & J Equipment, LLC.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 77

### **REPORT AND RESOLUTION APPROVING RENEWAL OF AGREEMENT FOR SALLYPORT INMATE MANAGEMENT SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY**

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

WHEREAS, by Resolution No. 19 of 2009 this Legislature authorized an agreement to accept the SallyPort Jail Management System at the Herkimer County Correctional Facility; which agreement has been renewed by resolution thereafter; and

WHEREAS, by letter dated February 3, 2020 from Sheriff Scott F. Scherer, this Legislature is advised of a request to renew said agreement for support services for the SallyPort Inmate Management System for the period 1/1/2020 through 12/31/2020 at a cost of \$17,584.50; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for support services for the SallyPort Inmate Management System at the Herkimer County Correctional Facility with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 1/1/2020 through 12/31/2020 at an annual cost of \$17,584.50; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized under the same or more favorable terms and conditions; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 78

### **REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II AND NO. V FOR POSITION CHANGE IN SHERIFFS OFFICE**

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

WHEREAS, by letter dated February 6, 2020, Scott Scherer, Sheriff, has requested to amend the Salary Schedule to delete the title of Deputy Sheriff Senior Investigator and add the title of Chief Deputy; and

WHEREAS, by letter dated February 25, 2020, Steven R. Billings, Personnel Officer, your committees have been advised that Salary Schedule No. V should be amended to delete the position of Deputy Sheriff Senior Investigator in Account A3110 and amend Salary Schedule No. II to establish a full time Chief Deputy (Criminal/Civil Division) position in Account A3110 with a base pay rate of \$45,000.00, to be effective March 16, 2020; now, therefore be it

RESOLVED, that Salary Schedule No. V should be amended to delete the position of Deputy Sheriff Senior Investigator in Account A3110 and amend Salary Schedule No. II to establish a full time Chief Deputy (Criminal/Civil Division) position in Account A3110 with a base pay rate of \$45,000.00, to be effective March 16, 2020; 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: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 79

### **REPORT AND RESOLUTION AWARDING CONTRACT FOR PHOTOCOPIER SERVICE FOR DEPARTMENTS OF THE COUNTY**

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

WHEREAS, by letter dated February 11, 2020, Sheri Ferdula, Budget Officer and Purchasing Agent, has advised that the County contract for photocopiers is set to expire in April of 2020; and

WHEREAS, the Budget Officer and Purchasing Agent further recommends that the County enter into a new 63 month contract with Toshiba Business Solutions, USA of Utica, New York, piggybacking off a National IPA contract in the amount of \$2,831.00 per month, including all maintenance and supplies, except paper and staples, up to 170,000 copies per month, with an overage charge of \$.0055 black and white copy and \$.045 color copy, with Herkimer County to retain the right to add or delete equipment and features as determined to be in the best interest of the departments; and

WHEREAS, sufficient funds have been budgeted in department accounts for this purpose; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a contract for the provision of county-wide copy management services and integration with the county information services network to Toshiba Business Solutions USA, 1425 Albany Street, Utica, New York 13501, in the amount of \$2,831.00 per month, including all maintenance and supplies, except paper and staples, up to 170,000 copies per month, with an overage charge of \$.0055 black and white copy and \$.045 color copy, with Herkimer County to retain the right to add or delete equipment and features as determined to be in the best interest of the departments; and, be it further

RESOLVED, that said contract will be for a term of 63 months, and with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Toshiba Business Solutions USA and all County departments.

Dated: March 11, 2020.







## HERKIMER COUNTY LEGISLATURE

No. 80

### REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN EMPLOYMENT AND TRAINING

#### 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 January 24, 2020, submitting request for transfers 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, authorized and directed to transfer the following sum from and to the following accounts in the 2020 Budget:

**Transfer:**

|            |   |
|------------|---|
| \$6,117.42 | From: CD6292A.3002.460.683, ET02-19, Youth out of School, Training<br>To: CD6292A.3002.810.000, ET02-19, Youth out of School, Retirement      |
| \$1,773.02 | From: CD6292A.3002.460.683, ET02-19, Youth out of School, Training<br>To: CD6292A.3002.830.000, ET02-19, Youth out of School, Social Security |
| \$130.23   | From: CD6292A.3002.460.683, ET02-19, Youth out of School, Training<br>To: CD6292A.3002.835.000, ET02-19, Youth out of School, Medicare        |
| \$448.56   | From: CD6292A.3002.460.683, ET02-19, Youth out of School, Training<br>To: CD6292A.3002.840.000, ET02-19, Youth out of School, Workers Comp    |
| \$8,372.96 | From: CD6292A.3002.460.683, ET02-19, Youth out of School, Training<br>To: CD6292A.3002.860.000, ET02-19, Youth out of School, Health Ins.     |
| \$55.72    | From: CD6292A.3002.460.683, ET02-19, Youth out of School, Training<br>To: CD6292A.3002.865.000, ET02-19, Youth out of School, Dental          |

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: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 81

### **REPORT AND RESOLUTION MEANS AUTHORIZING ENTERING INTO MEMORANDUM OF UNDERSTANDING (MOU) WITH THE STATE OF NEW YORK FOR THE ONE-STOP CAREER CENTER**

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

WHEREAS, by letter dated February 21, 2020, Karin Piseck, Employment & Training Director, has advised your Committees that the State of New York has requested a resolution that authorizes the Chairman of the Legislature to sign a new Memorandum of Understanding for the time period of January 1, 2020 through September 30, 2021 to give the State the right to use and occupy space at the Herkimer County Working Solutions One Stop Career Center for a sum of \$38,853.84 yearly, or \$3,237.82 monthly; and

WHEREAS, it is your Committee's opinion that it is in the best interest of Herkimer County to enter into such new license agreement; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a new Memorandum of Understanding with the State of New York, whereby the State will pay for the right to use and occupy space at the Herkimer County Working Solutions One Stop Career Center for the time period of January 1, 2020 to September 30, 2021 for a sum of \$38,853.84 yearly, or \$3,237.82 monthly, and with said license agreement subject to the approval of the Herkimer County Attorney, and thereto for such license to be approved by the Committee on Ways and Means; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Employment & Training Director and State of New York Office of General Services.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 82

### REPORT AND RESOLUTION APPROVING THE ESTABLISHMENT OF AN ESPORTS CENTER AT HERKIMER COUNTY COMMUNITY COLLEGE

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

WHEREAS, by letter dated March 10, 2020 from Nicholas F. Laino, Senior Vice President for Administration and Finance at Herkimer County Community College, this Legislature is advised that the Board of Trustees by their Resolution No. 19-4, has approved the establishment of an Esports Center, located in the Technology Building, in the amount of \$140,000 with up to 50% of the local share coming from the Herkimer County College Foundation, Inc., and 50% from the state; now, therefore be it

RESOLVED, that the Herkimer County Legislature hereby approves Herkimer County Community College Resolution No. 19-4, for the establishment of an Esports Center, located in the Technology Building, in the amount of \$140,000 with up to 50% of the local share coming from the Herkimer County College Foundation, Inc., and 50% from the state; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 83

### **REPORT AND RESOLUTON AUTHORIZING CONTRACT FOR MPLS (MULTIPROTOCOL LABEL SWITCHING) DATA LINES**

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

WHEREAS, by letter dated February 14, 2020, Michael Testa, Deputy Director of Information Services, has requested to enter into an updated contract with Northland Communications for MPLS Data Lines, which are necessary to add the service for the new correctional facility; and

WHEREAS, the letter further advised the new contract will increase the bandwidth to 25M and add the new correctional facility for a total of \$2,085.55 per month and \$417.48 for POTS (Plain Ordinary Telephone Service) lines, with the contract to be effective through January 2023 with Northland Communications of Utica, New York; now, therefore be it

RESOLVED, that the Herkimer County Legislature hereby awards a contract for MPLS Data Lines for service for the new correctional facility to Northland Communications, 317 Court Street, Third Floor, Utica, NY 13502, to increase the bandwidth to 25M, effective through January 2023, at a monthly cost of \$2,085.55 and \$417.48 for POTS lines; 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 Northland Communications.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 84

### REPORT AND RESOLUTION APPROVING PURCHASE OF EQUIPMENT FOR INFORMATION SERVICES

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

WHEREAS, by letter dated February 14, 2020, from Kathy Wright, Director of Information Services, this Legislature is advised of a request to purchase an HP Nimble Storage Array to replace the current unit; and

WHEREAS, letter further advises the system is available under New York State Contract through Synergy IT Solutions at a cost of \$32,716.25, which includes hardware and software for \$27,216.25 and an installation and configuration charge of \$5,500.00, which includes 3 years of hardware support; now, therefore be it

RESOLVED, that this Legislature approves the request to purchase an HP Nimble Storage Array at a cost of \$32,716.25, which includes hardware and software for \$27,216.25 and an installation and configuration charge of \$5,500.00, which includes 3 years of hardware support; 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 Synergy IT Solutions.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 85

### REPORT AND RESOLUTION EXTENDING GRANT IN PUBLIC HEALTH

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

WHEREAS, Resolution No. 279 of 2017 accepted a grant from the Health Foundation of Central and Western New York in the amount of \$7,000, which was extended by Resolution No. 11 of 2019; and

WHEREAS, by letter dated February 19, 2020, Christina Cain, Director of Public Health, has requested to extend the grant associated with Resolution No. 279 of 2017 for the period of November 1, 2017 through January 31, 2021; now, therefore, be it

RESOLVED, that said grant period is extended for a period of November 1, 2017 through January 31, 2021, and that the Chairman of this Legislature is hereby authorized to execute any documents in connection with said grant extension; 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 Nursing Services.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 86

### REPORT AND RESOLUTION CONCERNING SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

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

WHEREAS, pursuant to resolutions previously adopted, contracts were authorized between the Herkimer County Office for the Aging and At Home Care, Inc., the Department of Social Services, Home Aide Services for Central Adirondacks (HASCA), Superior Home Health Care and Resource Center for Independent Living, and U.S. Care Systems for said contractors to provide services for the Expanded In-Home Services for the Elderly Program (EISEP); and

WHEREAS, by communication dated February 20, 2020, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into renewal of the aforesaid contracts for the period of April 1, 2020 to March 31, 2021, with funding at 75/25%, with the Office for Aging to provide the local match for aide services for At Home Care, RCIL, HASCA, US Care and Superior, and with DSS to provide the local match for their allocation; now, therefore, be it

#### RESOLVED:

1. That contracts be entered into between the Herkimer County Office for the Aging and the agencies listed to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) as follows:
  - At Home Care will be contracted for aide services estimated to be \$70,000; the hourly rate will be \$23.76 for Level 1 and \$24.07 for Level 2; \$106.98 RN Assessment (Initial assessment, 180 reassessment, change in condition).
  - DSS will provide case management services for up to a total amount of \$70,000 with state aid reimbursement of 75% up to \$52,500.
  - Superior Home Health Care will be contracted for aide services estimated to be \$78,000; the hourly rate is \$23.06.
  - HASCA will be contracted for aide services estimated to be \$18,000; the hourly rate will be \$25.86.
  - Resource Center for Independent Living will be contracted for services estimated to be \$90,000; the hourly rates will be \$19.00 for the Basic and Enhanced rate.
  - U.S. Care Systems will be contracted for services estimated to be \$30,000; the hourly rate will be \$23.53.
2. That all contracts shall state that payments are based on availability of state aid and will include a 60 day cancellation of contract clause;
3. That the Chairman of this Legislature is hereby authorized to execute said agreements on behalf of the County of Herkimer;

4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging, Commissioner of Social Services, At Home Care, Inc., Superior Home Health Care, Home Aide Service of the Central Adirondacks, and the Resource Center for Independent Living and U.S. Care Systems.

Dated: March 11, 2020.





## HERKIMER COUNTY LEGISLATURE

No. 87

### **REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH PLAN IT STAFFING FOR THE UNMET NEEDS PROGRAM**

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

WHEREAS, by letter dated February 19, 2020, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with Plan It Staffing, 2614 Genesee Street, Utica, NY 13502, for the Unmet Needs Program; and

WHEREAS, Plan It Staffing will provide Consumer Directed In Home Services with a hourly rate of \$21.00 per hour with a maximum contract amount of \$10,000; and

WHEREAS, said contract will be for the period from April 1, 2020 through March 31, 2021 and will be 100% reimbursable with no local match; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period of April 1, 2020 through March 31, 2021, between the Herkimer County Office for the Aging and Plan It Staffing, for the Unmet Needs Program, which is a program that will provide Consumer Directed In Home Services, in the amount of \$21.00 per hour with a maximum contract amount of \$10,000; and, be it further

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

RESOLVED, that said program shall continue so long as 100% reimbursement is available from the State of New York; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 88

### REPORT AND RESOLUTION AUTHORIZING CONTRACT RENEWAL FOR HIICAP FUNDING FOR THE HERKIMER COUNTY OFFICE FOR THE AGING

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

WHEREAS, by Resolution No. 76 of 2007, authorization to submit an application for the implementation of the HIICAP (Health Insurance Information, Counseling & Assistance Program) through the Herkimer County Office for the Aging was approved; and

WHEREAS, said Program is funded 100%, with no local match, has been administered on a subcontract basis by Catholic Charities of Herkimer County, and has been renewed each year thereafter; and

WHEREAS, by letter dated February 19, 2020, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to renew the contract with Catholic Charities of Herkimer County for administration of the Health Insurance Information, Counseling & Assistance Program (HIICAP) for the program year commencing April 1, 2020 through March 31, 2021, with funding currently anticipated at \$33,400; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer as follows:

- HIICAP (Health Insurance Information, Counseling & Assistance Program) for the 4/1/2020– 3/31/2021 program year; funding is currently anticipated at \$33,400.00;
- Program shall be subcontracted to Catholic Charities of Herkimer County with said contract amount not to be more than the level of funding that is made available to the County of Herkimer;

and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into an annual renewal of said contract 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 the Office for the Aging and Catholic Charities.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 89

### **REPORT AND RESOLUTION AUTHORIZING CONTRACT BETWEEN OFFICE FOR AGING AND DEPARTMENT OF SOCIAL SERVICES IN CONNECTION WITH BALANCE INCENTIVE PROGRAM**

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

WHEREAS, by letter dated February 19, 2020 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with the Department of Social Services in the amount of \$20,000 to provide services in connection with the implementation of the NY Connects Expansion & Enhancement (formerly known as Balance Incentive Program), which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement; and

WHEREAS, said contract will be for the period from April 1, 2020 through March 31, 2021 and will be 100% funded by the NY Connects Expansion & Enhancement; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period April 1, 2020 through March 31, 2021, between the Herkimer County Office for the Aging and the Herkimer County Department of Social Services, for the provision services in connection with the implementation of the Balance Incentive Program, which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement, in the amount of \$20,000; and, be it further

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

RESOLVED, that said program shall continue so long as 100% reimbursement is available from the State of New York; 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 Director of the Office for the Aging.

Dated: March 11, 2020.



# HERKIMER COUNTY LEGISLATURE

No. 90

## REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH TRANSPORTATION SERVICES FOR OFFICE FOR THE AGING

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

WHEREAS, by letter dated February 20, 2020, Kathy L. Fox, Director of the Office for the Aging, has advised this Legislature of the receipt of a grant from Herkimer County HealthNet and the Community Foundation of Herkimer and Oneida Counties, Inc., which grant will provide transportation in Middleville, Poland, and Ohio areas, as well as a pilot program in West Winfield; and

WHEREAS, by letter dated February 20, 2020, the Budget Officer/Purchasing Agent has requested that the 2020 Herkimer County Budget be amended in connection with the receipt of said Grant; now, therefore, be it

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

**REVENUE:**

A6772F.1989F, Aging HealthNet Grant \$5,814

**EXPENSES:**

|   |         |
|---|---------|
| A6772F.10000-001, Aging, HealthNet Grant, Salaries    | \$844   |
| A6772F.10100, Aging, HealthNet Grant, Temp. Employees | \$2,248 |
| A6772F.46000, Aging, HealthNet Grant, Misc. Expense   | \$589   |
| A6772F.46200, Aging, HealthNet Grant, Auto Expense    | \$1,800 |
| A6772F.81000, Aging, HealthNet Grant, Retirement      | \$75    |
| A6772F.83000, Aging, HealthNet Grant, Social Security | \$169   |
| A6772F.83500, Aging, HealthNet Grant, Medicare        | \$41    |
| A6772F.84000, Aging, HealthNet Grant, Workers Comp    | \$48    |

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign all documents relating to this grant; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 91

### REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR RESPITE SERVICES

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

WHEREAS, by letter dated February 19, 2020 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of additional funding in the amount of \$12,512 for the remainder of 2020; and

WHEREAS, by letter dated February 20, 2020, the Budget Officer has advised that it is necessary to amend the 2020 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the 2020 Herkimer County Budget is hereby amended in the amounts listed:

REVENUE:

|                                      |                |
|--------------------------------------|----------------|
| A6783.4783, Aging IIIIE, Federal Aid | From: \$38,793 |
|                                      | To: \$51,305   |

EXPENSE:

|   |                |
|---|----------------|
| A6783.44000, Aging IIIIE, Contracted Services | From: \$33,089 |
|   | To: \$45,601   |

and, be it further

RESOLVED, that said services shall continue so long as 100% funding is available; and, be it further

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

Dated: March 11, 2020.



# HERKIMER COUNTY LEGISLATURE

No. 92

## REPORT AND RESOLUTION ACCEPTING GRANT, AUTHORIZING CONTRACT, AND CREATING ACCOUNTS IN THE OFFICE FOR THE AGING

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

WHEREAS, by letter dated February 20, 2020, Kathy L. Fox, Director of the Office for the Aging, has advised this Legislature of the receipt of a grant from the New York State Office for the Aging for the Age Friendly Planning grant, in the amount of \$20,000, for the period of January 1, 2020 through December 31, 2021; and

WHEREAS, letter further requests a contract with Herkimer County HealthNet to assist in completing the deliverables for this grant, in the amount of \$16,525; and

WHEREAS, by letter dated February 20, 2020, the Budget Officer/Purchasing Agent has requested that accounts be created and the 2020 Herkimer County Budget be amended in connection with the receipt of said Grant; now, therefore, be it

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

**REVENUE:**

A6784A.3784A, Age Friendly, State Aid \$20,000

**EXPENSES:**

|   |          |
|---|----------|
| A6784A.10000-001, Age Friendly, Salaries          | \$2,000  |
| A6784A.41000, Age Friendly, Supplies              | \$575    |
| A6784A.44000, Age Friendly, Contracted Services   | \$16,525 |
| A6784A.46000, Age Friendly, Miscellaneous Expense | \$600    |
| A6784A.46100, Age Friendly, Mileage and Travel    | \$100    |
| A6784A.81000, Age Friendly, Retirement            | \$75     |
| A6784A.83000, Age Friendly, Social Security       | \$75     |
| A6784A.83500, Age Friendly, Medicare              | \$25     |
| A6784A.84000, Age Friendly, Workers Comp          | \$25     |

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign all documents relating to this grant; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 93

### REPORT AND RESOLUTION ACCEPTING GRANT, AUTHORIZING CONTRACTS, ESTABLISHING ACCOUNTS, AND AMENDING BUDGET IN CONNECTION WITH THE 2020 CENSUS

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

WHEREAS, by letter dated March 5, 2020, from James W. Wallace, Jr., County Administrator, this Legislature is advised of a request to accept grant funding, authorize contracts, create accounts, and amend the budget in connection with the 2020 Census; and

WHEREAS, the grant is in the amount of \$72,995.50, and the money would be allocated to fund contracts with Catholic Charities for \$4,621.50, Mid York Library System for \$6,330.00, Mohawk Community Action for \$2,390.00, and Resource Center for Independent Living for \$24,654.00, with the remaining \$35,000 going to the County for iPads, media, and contracted services; and

WHEREAS, by letter dated March 5, 2020, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested accounts be created and the 2020 budget be amended as follows:

**REVENUE:**

|                                 |             |
|---------------------------------|-------------|
| A1989C.3089I, Census, State Aid | \$72,995.50 |
|---------------------------------|-------------|

**EXPENSE:**

|   |             |
|---|-------------|
| A1989C.22000, Census, Computer Equipment  | \$5,000     |
| A1989C.44000, Census, Contracted Services | \$67,995.50 |

now, therefore be it

RESOLVED, that this Legislature hereby accepts receipt of the grant from New York State in the amount of \$72,995.50, authorizes the above contracts, and amends the budget as listed; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign all necessary documents relating to this grant; and, be it further

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

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 94

### **RESOLUTION OPPOSING THE GOVERNOR'S PROPOSED MEDICAID COST-SHIFT AND CALLING ON THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO PRESERVE THE ZERO PERCENT MEDICAID GROWTH CAP**

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

WHEREAS, Medicaid is the single largest driver of property taxes in the Herkimer County budget; at \$13.2 million per year, an amount equivalent to 51.2% of the county's 2020 property tax levy; and

WHEREAS, when created by the federal government in 1966, this health insurance program for the poor and disabled was intended to be funded by the federal and state governments, but New York State opted to force counties to pay half the State's share; and

WHEREAS, the required county and New York City payment is now \$7.6 billion annually; and

WHEREAS, the local share of Medicaid funding paid in New York is the highest of any state in the country, and is more than what 43 individual states pay in state share for their Medicaid programs; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, in 2005 the Governor and legislative leaders recognized the fiscal burden the financing of Medicaid is for local taxpayers and initiated steps to relieve part of that burden by capping the growth in local costs in this program; and

WHEREAS, one of the most prominent property tax reduction and mandate relief initiatives in state history was Governor Cuomo's establishment of the zero percent Medicaid growth cap in 2015; and

WHEREAS, due to rising costs of health services and pharmaceuticals, and due to New York State's expansion of Medicaid services and mandatory raises for health care workers, the Medicaid budget is facing billions of dollars in annual deficits over the next several years; and

WHEREAS, the Governor's Executive Budget Recommendation is proposing a variety of ways to address this fiscal shortfall, including cost-shifting the State's financial responsibilities onto county property tax payers by; and



- Taking county governments' federal enhanced Medicaid match savings;
- Forcing counties to pay for Medicaid growth if counties breach the state property tax cap;
- Shifting the local share of Medicaid growth above 3% to counties, if counties cannot contain costs under 3%; and

WHEREAS, counties do not have the tools nor authority to control the Medicaid program growth; some of these limitations include:

- The ability to audit the Medicaid program;
- The ability to control the cost of prescription drugs;
- The ability to set provider reimbursement rates;
- The ability to modify eligibility and benefit levels for Medicaid recipients;
- The ability to control changing demographics across the state;
- The ability to control provider contracts; and

WHEREAS, if state experts in the Medicaid program are unable to develop solutions to control growth in the Medicaid program, it will be impossible for counties to do so, since they do not have this authority to control costs; and

WHEREAS, if enacted, the Governor's proposals will, in effect, nullify the property tax cap; now, therefore be it

RESOLVED, that the Herkimer County Legislature opposes the cost-shifts and the taking of eFMAP federal funds for counties proposed by the Governor, and urges the Governor and legislative leaders to maintain the zero percent Medicaid growth cap for counties and New York City as they address state budget shortfalls in order to keep downward pressure on the local tax burden; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, and New York State Association of Counties.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 95

### RESOLUTION AUTHORIZING HOME RULE REQUEST

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

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly entitled, "AN ACT to amend chapter 549 of the laws of 2005 amending the tax law, relating to authorizing the County of Herkimer to impose a county recording tax on obligations secured by a mortgage on real property, in relation to the expiration thereof"

|                 |        |
|-----------------|--------|
| In the Assembly | A.9701 |
| In the Senate   | S.7671 |

and

WHEREAS, it is now necessary to make a Home Rule Request pursuant to the Municipal Home Rule Law; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes that a Home Rule Request be made, pursuant to Section 40 of the Municipal Home Rule Law, by the appropriate county officers and filed as required by said statute with the New York State Legislature.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 96

### RESOLUTION AUTHORIZING HOME RULE REQUEST

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

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly entitled, "AN ACT to amend the tax law, in relation to extending the period during which the county of Herkimer is authorized to impose additional sales and compensating use taxes"

In the Assembly  
In the Senate

A.9731  
S.7668

and

WHEREAS, it is now necessary to make a Home Rule Request pursuant to the Municipal Home Rule Law; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes that a Home Rule Request be made, pursuant to Section 40 of the Municipal Home Rule Law, by the appropriate county officers and filed as required by said statute with the New York State Legislature.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 97

### RESOLUTION AUTHORIZING HOME RULE REQUEST

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

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly entitled, "AN ACT to amend the tax law, in relation to extending the period during which the county of Herkimer is authorized to impose additional sales and compensating use taxes"

In the Assembly  
In the Senate

A.9724  
S.7672

and

WHEREAS, it is now necessary to make a Home Rule Request pursuant to the Municipal Home Rule Law; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes that a Home Rule Request be made, pursuant to Section 40 of the Municipal Home Rule Law, by the appropriate county officers and filed as required by said statute with the New York State Legislature.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 98

### RESOLUTION AUTHORIZING HOME RULE REQUEST

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

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly entitled, "AN ACT to amend chapter 549 of the laws of 2005 amending the tax law, relating to authorizing the County of Herkimer to impose a county recording tax on obligations secured by a mortgage on real property, in relation to the expiration thereof"

|                 |         |
|-----------------|---------|
| In the Assembly | A.10049 |
| In the Senate   | S.7943  |

and

WHEREAS, it is now necessary to make a Home Rule Request pursuant to the Municipal Home Rule Law; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes that a Home Rule Request be made, pursuant to Section 40 of the Municipal Home Rule Law, by the appropriate county officers and filed as required by said statute with the New York State Legislature.

Dated: March 11, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 99

### IN MEMORIAM

***WHEREAS, Roger Stock departed this life on February 8, 2020; and***

***WHEREAS, Roger Stock was a lifelong resident of the City of Little Falls, he was a devoted husband to his wife Patricia and father to his son Jason and daughter Johanna; and***

***WHEREAS, Roger Stock served with distinction as Mayor of the City of Little Falls from 1992 to 1996; prior to that he began his political career as a Third Ward Alderman in 1983; he served as the Chairman of the Little Falls Republican Committee; at one time he was a Special Police officer for the Little Falls Police Department and a Call Firefighter for the Little Falls Fire Department; he also served as Treasurer and President of the Little Falls Call Fireman's Association and a member of the Herkimer County Arson Investigators Association; and***

***WHEREAS, Roger Stock was a community minded person, he was a member of the Little Falls Lions Club, the Little Falls Historical Society and for over 25 years, Chairman of the Annual Little Falls Canal Days Celebration Parade and Car Show; he was an active member of the Holy Trinity Lutheran Church having served on the church and cemetery council; he was proud of the efforts he put into obtaining the funds for the Fireman's Memorial Monument in Burke Park; and***

***WHEREAS, Roger Stock will be remembered for his over 50 years of automobile repair and service, owning and operating Stock's Garage Inc. for the last 46 years; and***

***WHEREAS, The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it***

***RESOLVED, That the County Legislature does hereby express its deepest regrets at the decease of Roger Stock and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further***

***RESOLVED, That a copy of this Resolution be sent to the family of Roger Stock and that an additional copy be spread upon the minutes of this meeting.***

***Dated: March 11, 2020.***