

MINUTES
Herkimer County Legislature
Fourth Quarter – First Day
Wednesday, October 7, 2020
2:00 p.m.

Public Hearing

The Public Hearing on Introductory Local Law A for 2020 was called to order at 1:15 p.m. by Patrick E. Russell, Chairman of the Ways and Means Committee. The Clerk read the notice of the meeting. Mr. Russell then asked if there was anyone wishing to speak on the local law. There were no requests to speak and the hearing was declared closed at 1:16 p.m.

Brittney R. Viscomi, Clerk
Herkimer County Legislature

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that there has been presented to the County Legislature of the County of Herkimer, State of New York, on the 16th day of September, 2020, Introductory Local Law A for the year 2020 entitled, “A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER”.

NOTICE IS FURTHER GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the aforesaid proposed Local Law, to be conducted by the Committee on Ways and Means. The Public Hearing will be held via teleconference: Phone Number: 1-978-990-5000, Access Code: 548560, on the 7th day of October, 2020 at 1:15 p.m. at which time all persons interested will be heard.

Dated: September 28, 2020.

By Order of the Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 2:00 p.m.

This session was held via Zoom in connection with COVID-19.

Chairman Bono called on Legislator Campione 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.

Chairman Bono suspended the public comment period due to COVID-19 and stated that any interested individuals could submit comments by mail: 109 Mary Street, Suite 1310, Herkimer, NY 13350 or by email: hcl legislature@herkimercounty.org.

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 September 16, 2020. There were none, and the Chairman ordered them approved.

Chairman Bono stated that the communications received by the Legislature and the committees to which they were referred were as listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. Legislator Stephens requested No. 332 and Legislator Campione requested No. 331 be read.

No. 330 – A communication was received from the County Attorney submitting correction of date in Designation of Assistant County Attorney’s memo from January. Filed.

No. 331 – A communication was received from the Herkimer County Sewer District submitting Resolution for Sewer Property Tax Increase. Filed.

No. 332 – A communication was received from the County Highway Superintendent submitting defective road notice. Filed.

No. 333 – A communication was received from the Town of Herkimer submitting Notice of SEQR: Lead Agency Designation. Filed.

No. 334 – A communication was received from the Commissioner of NYS Agriculture and Markets submitting approval of the Herkimer County Agricultural and Farmland Protection Plan. Filed.

No. 335 – A communication was received from the Budget Officer/Purchasing Agent requesting the purchase of a Loader and transfer of funds. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 336 – A communication was received from the Director of Office for the Aging requesting renewal of contract with Senior Network Health, LLC. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 337 – A communication was received from the Director of Office for the Aging requesting resolution and letter of commitment for the Age Friendly Planning Grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 338 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in the Office for the Aging. Referred to the Committee on Ways & Means.

No. 339 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept grants in Emergency Services, create projects, and amend the budget. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 340 – A communication was received from the Budget Officer/Purchasing requesting contract to provide comprehensive cost allocation services for Herkimer County. Referred to the Committee on Ways & Means.

No. 341 – A communication was received from the Director of Information Services requesting approval of contract for technical support and web development for the County website and Intranet. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 342 – A communication was received from the Director of Real Property Tax Service Agency submitting Equalization Rates. Referred to the Committee on Ways & Means.

No. 343 – A communication was received from the Budget Officer/Purchasing Agent advising of award of Crime Victims Services Grant and requesting budget amendment and creation of project. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 344 – A communication was received from the Budget Officer/Purchasing Agent requesting acceptance of a Cost of Living Adjustment and to amend the budget in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 345 – A communication was received from the County Treasurer submitting report of cancelled taxes. Referred to the Committee on Ways & Means.

No. 346 – A communication was received from the Director of Probation requesting a support resolution to improve Probation and Alternatives to Incarceration in order to protect the public. Referred to the Committee on Administration/Veterans' Affairs.

No. 347 – A communication was received from the County Highway Superintendent requesting discussion for garage roof repair. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 348 – A communication was received from the County Highway Superintendent requesting discussion for fire alarm sensor system. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 349 – A communication was received from the Director of Community Services requesting amendment to the Facility Services Agreement with MVP Healthcare. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 350 – A communication was received from the Personnel Officer requesting contract for dental insurance for County employees. Referred to the Committee on Ways & Means.

No. 351 – A communication was received from the Director of Community Services requesting resolution to enter into an agreement with Empire BlueCross BlueShield HealthPlus. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 352 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with receipt of funding for the Herkimer County IDA. Referred to the Committee on Ways & Means.

No. 353 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with receipt of funding for the Herkimer County IDA. Referred to the Committee on Ways & Means.

No. 354 – A communication was received from Budget Officer/Purchasing Agent – Requesting budget amendment in connection with receipt of funding for the Herkimer County IDA. Referred to the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. There were no reports.

The Chairman continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No. 238 sponsored by the Committee on Ways & Means regarding Introductory Local Law A for 2020 was handed up; discussion was held; 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.

Mr. Manno: “Every year we have to do this. We have to beg the state to do these taxes and I don’t think we should have to do this.”

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 239 sponsored by the Committee on Ways & Means relating to Cancelled Taxes and Rejected Taxes was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 240 sponsored by the Committee on Ways & Means fixing percentages which the assessed valuation of real property bear to the full or true valuation of the various towns of the County and the City of Little Falls was handed up; discussion was held; voted on and adopted by voice vote:

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

Mr. Russell: "I would just like to encourage all towns to do everything they can to try and get their equalization rates to where they should be."

On motion of Mr. Campione, seconded by Mr. Smith, Report and Resolution No. 241 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing purchase of loader and transferring funds in Highway Department 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. Malta, Report and Resolution No. 242 sponsored by the Committee on Information Services and the Committee on Ways & Means authorizing agreement with Quadsimia in the Information Services Department 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. Weakley, Report and Resolution No. 243 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting cost of living adjustment from the Office of Mental Health and amending the budget 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. Donley, Report and Resolution No. 244 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing amendment to contract with MVP Health Care in Mental 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. Malta, Report and Resolution No. 245 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract with Empire Blue Cross Blue Shield in Mental Health 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. Russell, Report and Resolution No. 246 sponsored by the Committee on Ways & Means authorizing contract in connection with Countywide Cost Allocation Plan 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. Malta, Report and Resolution No. 247 sponsored by the Committee on Human Resources and the Committee on Ways & Means incorporating health across all policies into County agency activities was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Hollum, Report and Resolution No. 248 sponsored by the Committee on Ways & Means authorizing transfer of funds 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. Schrader, seconded by Mr. Smith, Report and Resolution No. 249 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract with Senior Network Health was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 250 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means authorizing contract and amending budget in connection with Crime Victim Services Grant for District Attorney's Office 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. Hollum, Report and Resolution No. 251 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means accepting grant funding, authorizing e-signature, creating projects, and amending 2020 budget was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Campione, Report and Resolution No. 252 sponsored by the Committee on Ways & Means as regards dental insurance for County Employees was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 253 sponsored by the Committee on Ways & Means amending budget in connection with receipt of economic development assistance funding from the Office of Community Renewal was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 254 sponsored by the Committee on Ways & Means amending budget in connection with receipt of economic development assistance funding from the Office of Community Renewal was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 255 sponsored by the Committee on Ways & Means amending budget in connection with receipt of economic development assistance funding from the Office of Community Renewal was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Stephens, Resolution No. 256 sponsored by the Committee on Ways & Means approving standard work day retirement reporting for elected and appointed officials 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. Brezinski, Resolution No. 257 sponsored by the Committee on Administration/Veterans' Affairs in support of efforts to improve Probation and Alternatives to Incarceration in New York State in order to protect the public and reduce reliance on prisons, jails, and detention was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Bono, seconded by Mr. Smith, Resolution No. 258 In Memoriam of Kenneth M. Dodge, former Herkimer County Supervisor, was handed up; discussion was held; voted on and adopted by voice vote:

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

Mr. Brezinski: "I would like to make a comment. I've known him for quite some time and I have to tell you he was a total gentleman. No matter what time or wherever you saw him, he always took the time to listen and he always took the time to respond. We're going to miss him."

Chairman Bono: “I agree John. I would just like to say, being from my district, Ken was a friend for a long time. I often referred to him as Mr. Schuyler. He had the community at heart 100% of the time when he wasn’t with his family. That was his greatest love, his family. His family should be proud of the accomplishments he made and sacrifices he made not only for the Town of Schuyler but for the County of Herkimer. Ken would always tell you the way it is, whether you liked it or not he spoke his mind. He is going to be missed and our prayers and condolences to his family.”

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. There were no comments.

At 2:21 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, October 28, 2020 at 7:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 238

REPORT AND RESOLUTION REGARDING INTRODUCTORY LOCAL LAW A FOR 2020

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means of the Herkimer County Legislature desires to report that on the 7th day of October, 2020, pursuant to Resolution No. 218, it held a public hearing on the adoption of Introductory Local Law A for 2020 entitled, "A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER", and that there were no appearances and no objections at the said public hearing; that your Committee advises the adoption and enactment of the said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law A for 2020 be adopted in form attached hereto.

Dated: October 7, 2020.

INTRODUCTORY LOCAL LAW A – 2020

LOCAL LAW NO. 2 – 2020

A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER

Be it enacted by the County Legislature of the County of Herkimer as follows:

Section 1. Imposition of Tax

Pursuant to Section 253-u of the Tax Law, as amended by Chapter 58 of the Laws of 2020, Subpart E, Item N, there is hereby imposed in the County of Herkimer a tax of \$0.25 for each \$100 and each remaining major fraction thereof of principal debt or obligation, which is or under any contingency may be secured at the date of execution thereof or at any time thereafter, by a mortgage on real property situated within the County of Herkimer and recorded on and after December 1, 2020, and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00. This local law hereby continues without interruption the imposition of the Herkimer County Mortgage Recording Tax as authorized by Herkimer County Local Law No. 3 for 2005.

Section 2. Applicability

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under Section 253.1 and Section 255.1(b) of the Tax Law.

Section 3. Additional Taxes

A tax imposed pursuant to this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 4. Payment of Taxes

The tax imposed pursuant to this local law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated. Where such property is situated within and without the county imposing this tax, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed herein. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 5. Real Property Located in More than One County

Where real property covered by the mortgage subject to the tax imposed pursuant to this local law is situated in the State of New York but within and without the County of Herkimer, the amount of such tax due and payable to the County of Herkimer shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law.

Where such property is situated both within Herkimer County and without the State, the amount due and payable in Herkimer County shall be determined in the manner prescribed in the second paragraph of such Section 260.

Section 6. Disposition of Taxes

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Herkimer during each month upon account of the tax imposed pursuant to this local law, after deduction of the necessary expenses of his office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of the County of Herkimer and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the General Fund of the County of Herkimer for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this local law or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the Commissioner.

Section 7. Expiration Date

The tax imposed by this local law shall be effective from December 1, 2020 to December 1, 2023.

Section 8. Effective Date

This local law shall become effective on the first day of December, 2020, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least thirty days prior to the date the local law shall take effect. Certified copies of any local law described in this section shall also be filed with the Herkimer County Clerk, the Secretary of State and the State Comptroller within five days after the local law is duly enacted.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 239

REPORT AND RESOLUTION RELATING TO CANCELLED TAXES AND REJECTED TAXES

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the reports of the County Treasurer, with account attached thereto, showing the amounts of cancelled taxes and rejected taxes as of September 22, 2020 which should be charged back to the respective towns, municipalities and districts set forth on said account, does respectfully report that we have examined the same, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the following amounts be charged to the respective towns, municipalities and districts as set forth on said account and that the portion of said cancelled taxes and rejected taxes be included in the various towns' tax levies for the coming year as follows:

<u>TOWN</u>	<u>CANCELLED TAXES</u>	<u>REJECTED TAXES</u>	<u>TOTAL</u>	<u>TOWN PORTION FOR LEVY</u>
City of Little Falls	8,175.73		8,175.73	0.00
German Flatts	24.14		24.14	21.23
Herkimer	2,268.64		2,268.64	3.99
Totals	10,468.51		10,468.51	25.22

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, and Director of Real Property Tax Services.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 240

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of Real Property Tax Services, submitting the State Board established Herkimer County Equalization Rates to be used in the apportionment of the 2021 Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law, do respectfully report that we have examined said report and offer the following Resolution:

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

County Equalization Rates for the 2020 Assessment Rolls
for Municipalities in the County of Herkimer

City of Little Falls	18.00
Town of Columbia	79.00
Town of Danube	76.00
Town of Fairfield	75.00
Town of Frankfort	64.50
Town of German Flatts	75.50
Town of Herkimer	90.50
Town of Litchfield	79.00
Town of Little Falls	71.50
Town of Manheim	66.00
Town of Newport	99.50
Town of Norway	67.90
Town of Ohio	96.50
Town of Russia	98.50
Town of Salisbury	100.00
Town of Schuyler	81.30
Town of Stark	55.00
Town of Warren	65.00
Town of Webb	88.00
Town of Winfield	79.00

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 241

REPORT AND RESOLUTION AUTHORIZING PURCHASE OF LOADER AND TRANSFERRING FUNDS IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated September 18, 2020, Sheri Ferdula, Budget Officer has requested to purchase a 2020 Caterpillar 926M Wheel Loader at a cost of \$144,529.81 for the Highway Department off of NYSOGC Contract; and

WHEREAS, said letter further advises that a transfer of funds will be necessary to make the purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes the purchase of a 2020 Caterpillar 926M Wheel Loader at a cost of \$144,529.81 for the Highway Department off of NYSOGC Contract; and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer funds as follows:

\$144,529.81	From: D5110.10100, Maintenance Division, Temporary Employees
	To: DM5130.25000, Road Machinery, Other Equipment

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 242

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH QUADSIMIA IN THE INFORMATION SERVICE DEPARTMENT

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

WHEREAS, by letter dated September 16, 2020, from Kathy Wright, Director of Information Services this Legislature is advised of a request to enter into an agreement with Quadsimia for technical support and web development for the County website and intranet; and

WHEREAS, the letter further states that the agreement with Quadsimia, 412 Main Street, Utica, NY will be for 75 hours at a cost of \$7,125.00 for a one year period of October 1, 2020 through September 30, 2021; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute an agreement with Quadsimia, 412 Main Street, Utica, NY, for technical support and web development of the County website and intranet for 75 hours at a cost of \$7,125.00 for a one year period of October 1, 2020 through September 30, 2021; 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: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 243

REPORT AND RESOLUTION ACCEPTING COST OF LIVING FUNDING ADJUSTMENT FROM THE OFFICE OF MENTAL HEALTH AND AMENDING THE BUDGET

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

WHEREAS, by letter dated September 15, 2020 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised that the Mental Health Department has received additional COLA funding in the amount of \$342 from the Office of Mental Health, and requests that the Legislature approve the same; and

WHEREAS, by letter dated September 17, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the 2020 budget included a COLA amount of \$440 and that a decrease in revenue will be needed to adjust for the lower amount; now, therefore, be it

RESOLVED, that the Herkimer County Legislature accepts a COLA increase from the NYS Office of Mental Health in the amount of \$342; and, be it further

RESOLVED, that the 2020 budget be amended as follows:

A4320.3490, Mental Health, State Aid	From: \$423,793
	To: \$423,695

A4320.44000-350, Mental Health, Consultants	From: \$417,725
	To: \$417,627

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 244

REPORT AND RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH MVP HEALTH CARE IN MENTAL HEALTH

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

WHEREAS, by Resolution No. 196 of 2019, authorization was given to amend the contract with MVP Health Care, 625 State Street, PO Box 2207 Schenectady, NY 12305 in Mental Health for MVP Health Care to provide their own behavioral health services instead of contracting out with Beacon Center; and

WHEREAS, by letter dated September 18, 2020, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend the agreement with MVP Health Care, due to increased rates of reimbursement; now, therefore, be it

RESOLVED, that the agreement be amended with MVP Health Care to due to increased rates of reimbursement, and that the Chairman of this Legislature is hereby authorized to execute said contract; and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 245

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH EMPIRE BLUE CROSS BLUE SHIELD IN MENTAL HEALTH

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

WHEREAS, by letter dated September 15, 2020, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to enter into a contract with Empire BlueCross BlueShield HealthPlus, 9 Pine Street, New York, NY 10005, to allow the clinic to be a participating provider in their network and be able to bill this insurance company for outpatient mental health services; and

WHEREAS, said letter further states since they are an Article 31 Office of Mental Health Clinic, this agreement follows the APG (Ambulatory Patient Group) rates that are set by the State; now, therefore, be it

RESOLVED, that the above described contract with Empire BlueCross BlueShield HealthPlus is approved, and that the Chairman of this Legislature is hereby authorized to execute said contract; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Community Services, and Empire BlueCross BlueShield HealthPlus.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 246

REPORT AND RESOLUTION AUTHORIZING CONTRACT IN CONNECTION WITH COUNTYWIDE COST ALLOCATION PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 264 of 2015 authorized a contract with Maximus to provide comprehensive cost allocation services to Herkimer County, Resolution No. 195 of 2019 amended the contract to add an additional \$750 per year to include required reporting for the Department of Social Services; and

WHEREAS, by letter dated September 17, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, it is requested that an agreement be entered into with Maximus of Reston, VA, in the amount of \$12,250 per year through March 31, 2023, covering fiscal years 2020, 2021, and 2022; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves entering into a contract with Maximus, 1891 Metro Center Drive, Reston VA 20190 at a cost of \$12,250 per year through March 31, 2023, covering fiscal years 2020, 2021, and 2022, with said contract to be approved by the County Attorney; and, be it further

RESOLVED, that the Chairman of the 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, County Attorney, and Maximus.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 247

REPORT AND RESOLUTION INCORPORATING HEALTH ACROSS ALL POLICIES INTO COUNTY AGENCY ACTIVITIES

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

WHEREAS, it is well documented that social factors, including the conditions in which people are born, grow, work, live, play, and age, and the wider set of forces and systems shaping the conditions of daily life, have a tremendous impact on the health and well-being of all people; and

WHEREAS, policies related to the environment, agriculture, housing, transportation, energy, parks and recreation, and economic development all significantly influence the public's physical, economic, and social environments; in which principles of smart growth and sustainable development directly support improved health outcomes and age-friendly communities; and

WHEREAS, the Health Across All Policies initiative systematically considers the health implications of decisions made by all government entities regarding public policies; avoids harmful health impacts made by all government entities regarding public policies; avoids harmful health impacts in order to improve population health and health equity; and incorporates health considerations into policies, programs, and initiatives led by non-health agencies; and

WHEREAS, it is the policy of the County of Herkimer that all County government entities advise and assist the Chairman of the Herkimer County Legislature in developing policies designed to help meet the needs of residents of the County of Herkimer and to encourage the health, safety, and well-being of those residents; and

WHEREAS, through the efforts of County government entities and others, Herkimer County will be designated as an Age-Friendly County by the American Association of Retired Persons (AARP). This designation is based on the Eight Domains of Livability outlined by the World Health Organization (WHO) as follows: 1) Outdoor Spaces and Buildings; 2) Transportation; 3) Housing; 4) Social Participation; 5) Respect and Social Inclusion; 6) Civic Participation and Employment; 7) Communication and Information; and 8) Community and Health Services; and

WHEREAS, Herkimer County's designation as an Age-Friendly county will bring increased attention to the Health Across All Policies initiative and the County's consideration of the impact of County policies and procedures on environmental, economic, and social factors to influence the health and well-being of all residents, especially older adults; and

WHEREAS, the Prevention Agenda, New York State's health improvement plan for improving health outcomes and reducing health disparities in and amongst racial, ethnic, disability, and low socioeconomic groups, as well as the populations who experience such disparities, has provided a blueprint that enables the County to make substantial progress across numerous measures of public health and prevention; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature do hereby order and direct as follows:

1. As used herein, "Affected County Entities" means (i) all agencies and departments over which the Chairman has executive authority, and (ii) all public benefit corporations, public authorities, boards, and commissions for which the Chairman appoints the Chair, the Chief Executive or the majority of the Board Members.
2. All Affected County Entities shall incorporate the New York State Prevention Agenda priorities and the WHO Eight Domains of Livability, where practicable and feasible, into County plans, plans submitted to New York State government, as well as agency guidance, policies, procedures, and procurements, with guidance from the Herkimer County Age Friendly Advisory Board in order to further the goals of the Health Across All Policies.
3. All Affected County Entities shall consider how best to incorporate the New York State Prevention Agenda's priorities and the WHO Eight Domains of Livability when preparing contract solicitations, grants, submitting plans to a federal or state agency or entity, or developing county plans under the applicable statutory and administrative criteria, where practicable and feasible. For appropriate best value procurements where price is not the determining factor, an Affected County Entity shall consider structuring the procurement to allow the award of additional technical points for proposals that address the State's Prevention Agenda priorities and the WHO Eight Domains of Livability based upon set evaluative criteria.
4. To achieve the foregoing:
 - A. On or after *October 7, 2020*, Affected County Entities shall, where practicable and feasible, include in solicitations for best value procurements and grants where price is not determining factor, a provision requiring contractors to describe how their proposals can improve community health and wellness in their execution of the contract, agreement and/or procurement, such as, promoting age-friendly job creation and economic stability, transportation mobility, and the ability to leverage investments that can have complementary benefits in more than one area;
 - B. Each Affected County Entity shall achieve this goal by incorporating, where practicable and feasible, the following considerations into the development of policies, guidance, regulations, and proposed legislation:
 - i. Opportunities for improved alignment and coordination of the New York State Prevention Agenda and age-friendly-related programs and policies across all County entities and among public and private partners;
 - ii. The impact on the ability of individuals to continue living in their communities in a manner consistent with their abilities and values;

- iii. The opportunities for civic engagement and how to expand them;
 - iv. Strengthening infrastructure for home and community-based services;
 - v. Approaches that build toward a future in which everyone in Herkimer County can enjoy wellness, longevity, and quality of life in strong, healthy communities;
 - vi. Each community's special strengths in technology, innovation, research, health care, and business, and how those strengths may be leveraged to support healthy aging and the work of family caregivers;
 - vii. The inclusion of healthy and age-friendly communities in programs that support community design, planning, zoning and development;
 - viii. Promotion of caregiver support;
 - ix. The provision of cost-effective, high quality services to Herkimer County residents, especially older adults, adults with disabilities, and their caregivers; and
 - x. Increased consumer accessibility to health and supportive services.
- C. Within 30 days after the date of this Order, each Affected County Entity shall designate a Herkimer County Age Friendly Advisory Board Coordinator, who shall:
- i. Be a liaison with the Herkimer County Age Friendly Advisory Board; and
 - ii. Be responsible for that Affected County Entity's compliance with this Order.
- D. All other government entities within Herkimer County are encouraged to undertake similar consideration in their contracting, agreements, and procurements.

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: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 248

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE OFFICE FOR THE AGING

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 September 17, 2020, submitting a request for a transfer of funds in the Office for the Aging to adjust for expenses, 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:

\$3,400	From: A6774.10100, Aging, CI, Temporary Employees To: A6774.44000, Aging, CI, Contracted Services
\$25,000	From: A6775.10100, Aging CSE, Temporary Employees To: A6775.44000, Aging CSE, Contracted Services
\$12,000	From: A6776.10100, Aging, CII, Temporary Employees To: A6776.44000, Aging, CII, Contracted Services
\$36,000	From: A6776A.10100, Aging, SNAP, Temporary Employees To: A6776A.44000, Aging, SNAP, Contracted Services
\$7,000	From: A6777.10100, Aging, HEAP, Temporary Employees To: A6777.44000, Aging, HEAP, Contracted Services

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 249

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH SENIOR NETWORK HEALTH

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

WHEREAS, by letter dated September 17, 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 Senior Network Health, LLC of Utica, New York, November 1, 2020 to October 31, 2021, for the Office for the Aging to provide contracted services to the clients of Senior Network Health in Herkimer County; and

WHEREAS, the Office for the Aging will provide home delivered meals, congregate meals, nutritional counseling, and case conferencing, with said services to be reimbursed at \$9.25 per meal and \$45.00 per hour for counseling and case conferencing; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Senior Network Health, LLC, 1650 Champlain Ave., Utica, NY 13502, to provide contracted services by the Herkimer County Office for the Aging as above described from November 1, 2020 to October 31, 2021, with the renewal of one additional year on the same 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 Senior Network Health, LLC.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 250

REPORT AND RESOLUTION AUTHORIZING CONTRACTS AND AMENDING BUDGET IN CONNECTION WITH CRIME VICTIM SERVICES GRANT FOR DISTRICT ATTORNEY'S OFFICE

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

WHEREAS, by communication dated September 17, 2020 from Sheri Ferdula, Budget Officer, this Legislature is advised that the New York State Office of Victim Services has approved an award for a period from October 1, 2020 through September 30, 2021 for the Herkimer County Victim Services Program; and

WHEREAS, by said letter the Budget Officer has advised of a request to amend the 2020 Budget and create a project DA02-18, when said grant awards are received for the Victim Services Program in the Office of the District Attorney's Office; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute and e-sign the contract for the Herkimer County Victim Services Program in the amount of \$54,672.54 for the period of October 1, 2020 to September 30, 2021; and, be it further

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

Revenue:

A1169.4389I, Crime Victims Coordinator, Federal Aid	From: \$0
	To: \$54,672.54

Appropriation:

A1169.10000-001, Victims Services Coordinator, Salaries	From: \$0
	To: \$37,665
A1169.41000, Victims Services Coordinator, Supplies	From: \$0
	To: \$7,911.01
A1169.81000, Victims Services Coordinator, Retirement	From: \$0
	To: \$3,502
A1169.83000, Victims Services Coordinator, Social Security	From: \$0
	To: \$2,335
A1169.83500, Victims Services Coordinator, Medicare	From: \$
	To: \$546
A1169.84000, Victims Services Coordinator, Workers Comp	From: \$0
	To: \$848
A1169.86000, Victims Services Coordinator, Health Insurance	From: \$0
	To: \$1,865.53

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 251

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

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

WHEREAS, by letter dated September 17, 2020, John J. Raymond, Director of Emergency Services has advised of a State Homeland Security (SHSP) Grant in the amount of \$64,437.00 and State Law Enforcement Terrorism Prevention Program (SLETPP) Grant in the amount of \$21,479.00, FY2020 for a total amount of \$85,916.00; and

WHEREAS, letter further advises the grant period is September 1, 2020 through September 30, 2022; and

WHEREAS, by letter dated September 18, 2020, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that projects be established, and the 2020 budget must be amended; now, therefore, be it

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

SHSP

Revenue:

A3020A.4389H, EM Homeland Security, Federal Aid, Proj EM02-14	From: \$0	To: \$64,437
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Expense:

A3020A.25000, EM Homeland Security, Other Equipment, Proj EM02-14	From: \$0	To: \$39,437
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A3020A.44000, EM Homeland Security, Contracted Services, Proj EM02-14	From: \$0	To: \$25,000
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SLETPP

Revenue:

A3110A.4389H, Homeland Security Grant, Federal Aid, Proj SH20-1	From: \$0	To: \$21,479
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Expense:

A3110A.42100, Homeland Security Grant, Telephone, Proj SH20-1	From: \$0	To: \$21,479
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and, be it further

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

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 252

REPORT AND RESOLUTION AS REGARDS DENTAL INSURANCE FOR COUNTY EMPLOYEES

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature has been informed by communication dated September 24, 2020 from Steven R. Billings, Personnel Officer, of a request for an Administrative Services Contract with Excellus BlueCross BlueShield for third party administration of the County’s dental claims for the period of January 1, 2021 through December 31, 2023, with the administrative fee for 2021 at \$3.10 PEPM, for 2022 at \$3.19 PEPM, and for 2023 at \$3.29 PEPM; now, therefore, be it

RESOLVED, that the Herkimer County Legislature authorizes an Administrative Services Contract with Excellus BlueCross BlueShield for third party administration of the County’s dental claims for the period of January 1, 2021 through December 31, 2023, with the 2021 premium equivalent rates per month as follows:

<u>CSEA</u>	<u>Highway</u>	<u>(Exempt)</u>
Single \$ 3.84	Single \$ 3.15	Single \$ 5.30
Family \$13.47	Family \$11.05	Family \$17.63

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be, and he hereby is, authorized, empowered and directed to execute any contract necessary with Excellus BlueCross BlueShield, to provide such dental insurance plan for 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, Personnel Officer, and Excellus BlueCross BlueShield.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 253

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF ECONOMIC DEVELOPMENT ASSISTANCE FUNDING FROM THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 1, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2020 Budget to reflect receipt of economic development assistance funding from the Office of Community Renewal on behalf of Herkimer County for Tractor Supply Company in the amount of \$750,000; now, therefore, be it

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

REVENUE

A6420.4789C, IDA, NYS CDBG, Fed Aid

From: \$3,960

To: \$753,960

EXPENSE

A6420.40000, IDA, Contractual Expense

From: \$965,000

To: \$1,715,000

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 254

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF ECONOMIC DEVELOPMENT ASSISTANCE FUNDING FROM THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 1, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2020 Budget to reflect receipt of economic development assistance funding from the Office of Community Renewal on behalf of Herkimer County to support a Microenterprise Program in the amount of \$200,000; now, therefore, be it

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

REVENUE

A6420.4789C, IDA, NYS CDBG, Fed Aid

From: \$753,960

To: \$953,960

EXPENSE

A6420.40000, IDA, Contractual Expense

From: \$1,715,000

To: \$1,915,000

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 255

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF ECONOMIC DEVELOPMENT ASSISTANCE FUNDING FROM THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 1, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2020 Budget to reflect receipt of economic development assistance funding from the Office of Community Renewal on behalf of Herkimer County for Turbo Machined Products, LLC in the amount of \$225,000; now, therefore, be it

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

REVENUE

A6420.4789C, IDA, NYS CDBG, Fed Aid

From: \$953,960

To: \$1,178,960

EXPENSE

A6420.40000, IDA, Contractual Expense

From: \$1,915,000

To: \$2,140,000

and, be it further

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

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 256

RESOLUTION APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

Sponsored by: Committee on Ways and Means

RESOLVED, that the Herkimer County Legislature hereby establishes the following as standard work days for elected and appointed officials to report days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number : (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy - mm/dd/yy)	Record of Activities Result	Not Submitted : (Check only if official did not submit their Record of Activities)
Appointed Officials								
Social Services Attorney	6	Michelle K. Fassett	[REDACTED]	[REDACTED]		[REDACTED]	26.57	

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Personnel Officer, and Principal Account Clerk in the Treasurer's Office.

Dated: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

No. 257

RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS, JAILS, AND DETENTION

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, county probation departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law, and the Family Court Act; and

WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 8 percent in 2020, putting a huge strain on counties and new costs to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and services that county probation departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators, and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that probation does to protect the public; now, therefore, be it

RESOLVED, that Herkimer County supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

- Raise the minimum age that a youth can be charged as a Juvenile Delinquent from seven to twelve years old
- Mandate that the state's evidence-based criteria should account for existing local best practice programs
- Allow local probation departments the ability to make an application for a temporary order of protection as a part of the adjustment process
- Authorize law enforcement agencies to issue appearance tickets if deemed appropriate by the arresting officer, instead of physical arrest, when Adolescent Offenders and Juvenile Offenders are charged with most D felonies

- Allow law enforcement agencies to deliver Adolescent Offenders and Juvenile Offenders to detention facilities after hours without securing order until the Youth Part is in session
- Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence-based programming associated with Raise the Age Legislation
- Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment
- Ensure local probation departments or other appropriate agency receive 100 percent of all pre-trial services costs including but not limited to probation personnel associated with Bail Reform
- Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated

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: October 7, 2020.



HERKIMER COUNTY LEGISLATURE

IN MEMORIAM

No. 258

- WHEREAS,** Kenneth M. Dodge departed this life on September 3, 2020; and
- WHEREAS,** Kenneth was an outstanding citizen, devoted husband, father and grandfather; and
- WHEREAS,** Kenneth was elected to the Herkimer County Board of Supervisors, serving from 1964 through 1967. During his tenure he served as a member of the Committee on Agriculture and Special Committees on County Development, County Extension Service, Fire Training Service and Soil Conservation; and
- WHEREAS,** Kenneth was a longtime Schuyler Town Supervisor following his tenure with the County, as well as a 65+ year member of the Schuyler Volunteer Fire Department, a member of the Herkimer County Republican Club, Schuyler United Methodist Church and founder of the Schuyler Athletic Club; 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 Kenneth M. Dodge 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 Kenneth M. Dodge, and that an additional copy be spread upon the minutes of this meeting.

Dated: October 7, 2020.