

MINUTES
Herkimer County Legislature
First Quarter – Third Day
Wednesday, February 15, 2023
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:07 p.m.

Chairman Bono called on Charles Crandall 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, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Absent: Schrader, Johnson, Keeler (3).

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

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of January 25, 2023. 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. There were no requests.

No. 46 – A communication was received from the New York State Department of State advising of Filing of Local Law No. 3 for 2022. Filed.

No. 47 – A communication was received from the New York State Department of State advising of Filing of Local Law No. 1 for 2023. Filed.

No. 48 – A communication was received from the Director of the Office for the Aging advising of renewal of contract for home delivered and congregate meals for the West Winfield area. Filed.

No. 49 – A communication was received from the Herkimer County IDA submitting copy of Payment in Lieu of Tax Agreement and Application of Real Property Tax Exemption. Filed.

No. 50 – A communication was received from the New York State Comptroller submitting certificate approving the allocation of sales and compensating use taxes in the agreement between the County of Herkimer and City of Little Falls. Filed.

No. 51 – A communication was received from the New York State Comptroller submitting duplicate copy of the application of the Town Board of the Town of Herkimer in connection with the establishment of East Herkimer Sewer District. Filed.

No. 52 – A communication was received from the Solid Waste Authority submitting Resolutions. Filed.

No. 53 – A communication was received from the Highway Department submitting email for a defective road. Filed.

No. 54 – A communication was received from the Director of the Office for the Aging requesting contract to provide radio campaign. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 55 – A communication was received from the Sheriff submitting December 2022 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 56 – A communication was received from the Commissioners of Elections submitting 2022 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 57 – A communication was received from the County Highway Superintendent submitting 2022 Annual Report. Referred to the Committee on Highways.

No. 58 – A communication was received from the Director of Community Services submitting 2022 Annual Report. Referred to the Committee on Human Resources.

No. 59 – A communication was received from the Director of the Office for the Aging submitting 2022 Annual Report. Referred to the Committee on Human Resources.

No. 60 – A communication was received from the Personnel Officer submitting 2022 Annual Report. Referred to the Committee on Ways & Means.

No. 61 – A communication was received from the Personnel Officer submitting 2022 Annual Report for the former Herkimer County Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways & Means.

No. 62 – A communication was received from the Personnel Officer submitting 2022 Annual Report for the Stand Alone Workers' Compensation self-insurance coverage. Referred to the Committee on Ways & Means.

No. 63 – A communication was received from the Director of Weights and Measures submitting 2022 Annual Report. Referred to the Committee on Natural Resources.

No. 64 – A communication was received from the County Treasurer requesting amendment to Designation of Depositories. Referred to the Committee on Ways & Means.

No. 65 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of account and transfer of funds for the purchase of a vehicle in the Probation Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 66 – A communication was received from the Budget Officer/Purchasing Agent advising of award of Crime Victims Services Grant, requesting budget amendment and creation of project. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 67 – A communication was received from the Sewer District submitting Resolution for annual field use leases. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 68 – A communication was received from the Sewer District submitting Resolution to appoint Chairman and Vice Chairman. Referred to the Committee on Natural Resources.

No. 69 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creating project in connection with HealthNet, Inc. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 70 – A communication was received from the Director of the Office for the Aging requesting EISEP & Unmet Needs Program contract renewal. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 71 – A communication was received from the Director of the Office for the Aging requesting amendment to contract for home delivered meals for Old Forge & other rural areas. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 72 – A communication was received from the County Highway Superintendent requesting eminent domain in connection with Wiltse Hill Road project. Referred to the Committee on Highways.

No. 73 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and budget amendment in connection with Medicaid Healthcare Worker Bonus. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 74 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in 2022 budget. Referred to the Committee on Ways & Means.

No. 75 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. III in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 76 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. II in DSS. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 77 – A communication was received from the County Attorney requesting additional user of PDCMS System at Indigent Legal Service. Referred to the Committee on Ways & Means.

No. 78 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers of funds and budget amendments in 2022 budget and transfers of funds in 2023 budget. Referred to the Committee on Ways & Means.

No. 79 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposals and use of contingency for the boiler project at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 80 – A communication was received from the Commissioners of Elections requesting legislation authorizing exemption in Election Law for Herkimer County from requirement of polling place for early voting. Referred to the Committee on Administration/Veterans' Affairs.

No. 81 – A communication was received from the Director of the Office for the Aging requesting contract renewal for HIICAP. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 82 – A communication was received from the Director of the Office for the Aging requesting contract between OFA and DSS. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 83 – A communication was received from the County Administrator requesting Resolution to renew contract with Strategic Development Specialists. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 84 – A communication was received from the Budget Officer/Purchasing Agent requesting to award bid for renovations of court facility and appropriation of funds. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 85 – A communication was received from the County Property Agent requesting to record deed for parcel sold at land auction. Referred to the Committee on County Properties.

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

On motion of Mr. Stephens, seconded by Mr. Campione, Resolution No. 34 – Resolution No. 42 were handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).

Consent Agenda:

- 34 ADMIN./VETS. AFFAIRS: Adopting Annual Report of the Board of Elections
- 35 HIGHWAYS: Adopting Annual Report of County Superintendent of Highways
- 36 HUMAN RES.: Adopting Annual Report of Mental Health Services
- 37 HUMAN RES.: Adopting Annual Report of Office for the Aging
- 38 WAYS & MEANS: Adopting Annual Report of fees received by Personnel
- 39 WAYS & MEANS: Adopting Annual Report of former Herkimer County Self-Insurance Plan
- 40 WAYS & MEANS: Adopting Annual Report of Herkimer County Stand Alone Workers' Compensation Plan
- 41 NAT. RESOURCES: Adopting Annual Report of Director of Weights and Measures
- 42 WAYS & MEANS: Determining officers and employees of Herkimer County required to file financial disclosure forms



HERKIMER COUNTY LEGISLATURE

No. 34

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY BOARD OF ELECTIONS

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2022, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Board of Elections be approved and placed on file with the Herkimer County Legislature for the year 2022.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 35

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 2022 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 2022 Annual Report of the County Superintendent of Highways be adopted and placed on file with the Herkimer County Legislature for the year 2022.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 36

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY MENTAL HEALTH SERVICES

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the 2022 Annual Report of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2022 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2022.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 37

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE AGING

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 2022, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2022.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 38

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FEES RECEIVED BY THE HERKIMER COUNTY PERSONNEL OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2022, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2022 be approved and placed on file with the Herkimer County Legislature.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 39

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF-INSURANCE PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2022, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2022 be adopted and filed with the Herkimer County Legislature.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 40

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE WORKERS' COMPENSATION PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2022, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2022 be adopted and filed with the Herkimer County Legislature.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 41

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF DIRECTOR OF WEIGHTS AND MEASURES

Sponsored by: Committee on Natural Resources

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report of the Director of Weights and Measures for the year 2022, reports that we have examined said report, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Director of Weights and Measures be adopted and filed with the Herkimer County Legislature for the year 2022.

Dated: February 15, 2023.



HERKIMER COUNTY LEGISLATURE

No. 42

RESOLUTION DETERMINING OFFICERS AND EMPLOYEES OF HERKIMER COUNTY REQUIRED TO FILE FINANCIAL DISCLOSURE FORMS

Sponsored by: Committee on Ways and Means

WHEREAS, the Herkimer County Ethics Law requires this Legislature to adopt an updated list of officers and employees required to file annual financial disclosure forms; and

WHEREAS, that updated list, referred to as Schedule A, is attached; now, therefore, be it

RESOLVED, that all officers and employees on the attached list be required to file a financial disclosure form as set forth in Local Law No. 3 for the year 1990; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Ethics Board and each officer and employee who holds a position named on Schedule A.

Dated: February 15, 2023.

2023

Schedule A

Legislators (16)
Chairman (1)
County Administrator
Clerk of the Legislature
Deputy Clerk of the Legislature
District Attorney
Assistant District Attorney (4)
Coroners (4)
County Auditor
Deputy County Auditor
County Treasurer
Deputy County Treasurer
County Property Agent
Budget Officer & Purchasing Agent
Deputy Purchasing Agent
Real Property Tax Service Director
County Clerk/Records Management Officer
Deputy County Clerk
County Attorney
Assistant County Attorney (2)
Personnel Officer/Safety Coordinator
Sheriff
Undersheriff
Chief Deputy (2)
Principal Account Clerk
Lieutenant (2)
Board of Elections Commissioner (2)
Information Services Director
Information Services Deputy Director
STOP-DWI Coordinator
Director of Probation
Director of Public Health
Director of Health Services
Supervising Community Health Nurse (2)
Director of Community Services
Administrative Officer, Mental Health
Commissioner of Social Services
DSS Attorney (2)
Director of Social Services
Special Assistant to Commissioner/Personnel Staff Developer
Director of Administrative Services (DSS)
Head Social Welfare Examiner
Managed Care Coordinator
WMS Coordinator

Child Support Enforcement Coordinator
Social Services Employment Coordinator
Veterans' Service Agency Director
Director of Weights and Measures
Director of Office for the Aging
Assistant Director of Office for the Aging
Employment and Training Director II
Executive Director of the Youth Bureau
County Building Maintenance Foreperson
Chief Plant Operator – Sewer District
Sewer Board Chairman
Sewer Board Commissioners (4)
County Highway Superintendent
Deputy Highway Superintendent
Highway Maintenance Supervisor
Assistant Highway Maintenance Supervisor
Highway Senior Civil Engineer
Principal Civil Engineer
Director of Emergency Services
Deputy Director of Emergency Services
Supervising Public Safety Telecommunicator
IDA CEO
IDA CFO

COMMITTEES, BOARDS AND COUNCILS

Governmental Policy and Liaison Committee (GP&L)
Ethics Board
Herkimer County Planning Board
Herkimer County Industrial Development Agency

HERKIMER COUNTY COMMUNITY COLLEGE:

President
Trustee (9)
Senior Vice-President for Administration and Finance
Dean of Students
Provost
Associate Dean of Academic Affairs
Director of Human Resources
Controller
Director of Athletics
Assistant to the President
Director of Library Services
Associate Dean of Academic Affairs – Humanities/Soc. Sciences
Purchasing Agent
Associate Dean of Academic Affairs – Business/Health/Science/Tech.
Director of Campus Safety
Director of Public Relations
Assistant Director of Facilities (2)

Director of Information Technology
Director of Admissions
Director of Institutional Research

The Chairman continued with the Regular Agenda.

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 43 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing renewal of agreement with Strategic Development Specialists to render professional services regarding grant writing to further economic development in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 43

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STRATEGIC DEVELOPMENT SPECIALISTS TO RENDER PROFESSIONAL SERVICES REGARDING GRANT WRITING TO FURTHER ECONOMIC DEVELOPMENT IN HERKIMER COUNTY

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

WHEREAS, by letter dated January 30, 2023, James W. Wallace, Jr., County Administrator, has requested a contract renewal of the current agreement entered into with Strategic Development Specialists of Syracuse, New York, to provide services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, to extend said agreement for an additional twelve month period through April 4, 2024; and

WHEREAS, the cost for such services will be \$6,000 per month plus incidentals, totaling \$3,000 annually, for the period of April 5, 2023 through April 4, 2024, with all other terms of the agreement to remain in force and effect; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into a renewal of the agreement with Strategic Development Specialists, P.O. Box 205, Syracuse, New York 13214, to provide professional services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, at a cost of \$6,000 per month plus incidentals, totaling \$3,000 annually, to extend the contract for the period of April 5, 2023 through April 4, 2024, with all other terms of the agreement to remain in

full force and effect, and with said contract to be subject to approval of the Herkimer County Attorney; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Russell, seconded by Mr. Donley, Report and Resolution No. 44 sponsored by the Committee on Ways & Means amending Resolution No. 2 of 2023 as regards designation of depositories of county funds for 2023 was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 44

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 2 OF 2023 AS REGARDS DESIGNATION OF DEPOSITORIES OF COUNTY FUNDS FOR 2023

Sponsored by: Committee on Ways and Means

WHEREAS, pursuant to Resolution No. 2 of 2023, this Legislature designated depositories of county funds for 2023; and

WHEREAS, by letter dated January 31, 2023, Kimberlee A. Enea, Herkimer County Treasurer, has requested an amendment of said resolution to add NY MuniTrust, with a limit of \$15,000,000.00; now, therefore, be it

RESOLVED, that Resolution No. 3 of 2023 is hereby amended to add NY MuniTrust, with a limit of \$15,000,000.00 as a bank designated for the deposit of moneys of the County of Herkimer for the year 2023; and, be it further

RESOLVED, that in all other respects, Resolution No. 2 of 2023 shall remain in full force and effect; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 45 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means awarding bid for vehicle, creating account, and transferring funds for purchase in Probation Department was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 45

REPORT AND RESOLUTION AWARDED BID FOR VEHICLE, CREATING ACCOUNT, AND TRANSFERING FUNDS FOR PURCHASE IN PROBATION DEPARTMENT

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

WHEREAS, by letter dated January 10, 2023, Garry Murphy, Director of Probation, has requested approval to purchase one 2022 Dodge Durango at a cost of \$40,907.00 with JPJ Electronic Communications outfitting the vehicle at a price of not more than \$7,500.00; and

WHEREAS, by letter dated January 26, 2023, Sheri Ferdula, Budget Officer/Purchasing Agent has advised the Durango will be purchased from Main Motorcar, 224 West Main Street, Johnstown, NY 12095, and that the creation of an account and a transfer of funds will be necessary to complete the purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above described purchase; and, be it further

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 2023 Budget:

\$48,407 From: A3141A.44000, Pre Trial Services, Contracted Services
 To: A3141A.23000, Pre Trial Services, Motor Vehicles

and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 46 sponsored by the Committee on Public Safety & Emergency Management and the Committee on

Ways & Means authorizing contracts 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 (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 46

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 January 25, 2023 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, 2022 through September 30, 2025 for the Herkimer County Victim Services Program, with the amount of \$65,974.93 per year; and

WHEREAS, by said letter, the Budget Officer has advised of a request to amend the 2022 Budget and create a project DA02-20, 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 \$65,947.93 per year for the period of October 1, 2022 to September 30, 2025; and, be it further

RESOLVED, that the above described grant is hereby accepted and that the 2022 budget be amended as follows:

Revenue:

A1169.4389I, Crime Victims Coordinator, Federal Aid	From: \$0
	To: \$65,974.93

Appropriation:

A1169.10000-001, Victims Services Coordinator, Salaries	From: \$0
	To: \$48,956

A1169.81000, Victims Services Coordinator, Retirement	From: \$0
	To: \$5,000

A1169.83000, Victims Services Coordinator, Social Security	From: \$0
	To: \$3,036

A1169.83500, Victims Services Coordinator, Medicare	From: \$0
	To: \$710

A1169.84000, Victims Services Coordinator, Workers Comp From: \$0
To: \$1,102
A1169.86000, Victims Services Coordinator, Health Insurance From: \$0
To: \$7,170.93

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: February 15, 2023.

On motion of Mr. Manno, seconded by Mr. Weakley, Report and Resolution No. 47 sponsored by the Committee on Natural Resources and the Committee on Ways & Means authorizing use of surplus grounds of the Herkimer County Sewer District by local sports organizations was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 47

REPORT AND RESOLUTION AUTHORIZING USE OF SURPLUS GROUNDS OF THE HERKIMER COUNTY SEWER DISTRICT BY LOCAL SPORTS ORGANIZATIONS

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

WHEREAS, by letter dated January 24, 2023, Robin Nalaskowski, Secretary to the Sewer District Board, has requested consideration and approval of Herkimer County Sewer District Resolution HCSD-2023-02 adopted by the Sewer District Board on January 18, 2023; and

WHEREAS, the Herkimer County Sewer District by said Resolution HCSD-2023-02 authorizes use of its surplus grounds by the Central Valley Little League, the Mohawk Valley Hockey Club and Mohawk Girls Softball, or any of their successor organizations pursuant to an annual written lease agreement to be signed by the Herkimer County Sewer District Board Chairman, or in his absence, the Vice-Chair; and

WHEREAS, by Resolution No. 229 of 1990, the Herkimer County Legislature approved a resolution of the Herkimer County Sewer District to allow use of surplus lands owned by the Sewer District for activities sponsored by the Village of Mohawk; and

WHEREAS, by Resolution No. 118 of 1995, the Herkimer County Legislature approved Herkimer County Sewer District Resolution HCSD-91-15 allowing Mohawk Little League to make use of Sewer District property to further the concept of the Environmental Protection Agency's "multiple use" policies encouraging recreational uses pursuant to the Water Pollution Control Act Section 201(f); now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Resolution HCSD-2023-02 of January 18, 2023 authorizing a written lease agreement with the above designated organizations, or any of their successor organizations; and, be it further

RESOLVED, that said leases with the above organizations shall be on an annual basis, will allow installation of a storage shed which shall be removed at tenants' costs upon expiration of the lease term, shall designate parking areas for tenants' use, shall provide for sufficient insurance and such other terms and conditions as approved by the Herkimer County Attorney and the Herkimer County Sewer District Attorney; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Stephens, seconded by Mr. Ackerman, Report and Resolution No. 48 sponsored by the Committee on Natural Resources approving Sewer District resolution for appointment of the Chairman of the Sewer Board and creating position of Vice Chairman of the Board was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 48

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION FOR APPOINTMENT OF THE CHAIRMAN OF SEWER BOARD AND CREATING POSITION OF VICE CHAIRMAN OF THE BOARD

Sponsored by: Committee on Natural Resources

WHEREAS, by letter dated January 24, 2023, this Legislature is advised that the Herkimer County Sewer Board adopted a resolution on January 18, 2023 appointing Joseph P. Annese as Chairman of the Sewer Board; and

WHEREAS, said Resolution also created the position of Vice Chair to the Board, to be duly empowered to act in the absence of the Chairman, and has appointed Richard D. Adams, Jr. to serve as Vice Chairman of the 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 18, 2023 appointing Joseph P. Annese to the position of Chairman of the Sewer Board and appointing Richard D. Adams, Jr. to the position of Vice Chairman; 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, Joseph P. Annese, and Richard D Adams, Jr.

Dated: February 15, 2023.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 49 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing grant performance agreement with Herkimer County HealthNet Inc., creating project, and amending the budget handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 49

REPORT AND RESOLUTION AUTHORIZING GRANT PERFORMANCE AGREEMENT WITH HERKIMER COUNTY HEALTHNET, INC., CREATING PROJECT, AND AMENDING THE BUDGET

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

WHEREAS, by letter dated January 17, 2023, Tim Seymour, Commissioner of Social Services, has requested that Herkimer County be authorized to act as a pass through entity for the Herkimer County HealthNet Rural HealthNet Development Program Award, with the term of January 1, 2024 through December 31, 2026; and

WHEREAS, said letter further advises that the HealthNet Development Program Award for 2023 has been confirmed in the amount of \$103,154; and

WHEREAS, by letter dated January 26, 2023, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that an amendment to the 2023 budget and the creation of a project will be necessary to allow for the funds to be added; now, therefore, be it

RESOLVED, that the County acts as a pass-through entity for these grant funds, with HealthNet being responsible for satisfactory completion of all phases of all funded projects and activities, including completion of all necessary paperwork and providing all appropriate documentation for the grant awards;

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a Grant Performance Agreement with Herkimer County HealthNet, Inc., in connection with pass-through funding from the New York State Department of Health Rural Network Development Program, with the terms and conditions of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the 2023 Herkimer County Budget is hereby amended as follows:

REVENUE

A4018.3418, Health Care Network, Proj: 13-14

From: \$0

To: \$103,154

EXPENSE

A4018.44000, Health Care Network, Proj: 13-14

From: \$0

To: \$103,154

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 Herkimer County HealthNet, Inc.

Dated: February 15, 2023.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 50 sponsored by the Committee on Human Resources and the Committee on Ways & Means concerning services in connection with Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 50

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), Home Health Care Partners, Resource Center for Independent Living (RCIL), Plan It Staffing, and U.S. Care Systems for said contractors to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs Programs; and

WHEREAS, by communication dated January 26, 2023, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into renewals of the aforesaid contracts for the period of April 1, 2023 to March 31, 2024, with funding at 75/25%, with the Office for the Aging to provide the local match for aide services for At Home Care, RCIL, HASCA, U.S. Care Systems, Home HealthCare Partners, Plan It Staffing, 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) and Unmet Needs as follows:
 - At Home Care will be contracted for aide services estimated to be \$78,000; the hourly rate will be \$34.65 for Level 1 and \$34.95 for Level 2; \$135.40 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.
 - Home Health Care Partners will be contracted for aide services estimated to be \$88,000; the hourly rate is \$34.00.
 - HASCA will be contracted for aide services estimated to be \$25,330; the hourly rate will be \$30.50.
 - Resource Center for Independent Living will be contracted for services estimated to be \$97,330; the hourly rates will be \$25.84.
 - U.S. Care Systems will be contracted for services estimated to be \$40,000; the hourly rate will be \$30.00.
 - Plan It Staffing will be contracted for services estimated to be \$25,000; the hourly rates will be \$25.73.
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., Home Health Care Partners, Home Aide Service of the Central Adirondacks, Resource Center for Independent Living, U.S. Care System, and Plan It Staffing.

Dated: February 15, 2023.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 51 sponsored by the Committee on Human Resources and the Committee on Ways & 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 (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 51

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 January 26, 2023, 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, 2023 through March 31, 2024, with funding currently anticipated at \$36,000; 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 4/1/2023– 3/31/2024 program year; funding is currently anticipated at \$36,000.00;
- 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: February 15, 2023.

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 52 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. III in the Office for the Aging was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 52

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN THE OFFICE FOR THE AGING

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

WHEREAS, by letter dated January 11, 2023, Kathy L. Fox, Director of the Office for the Aging, has requested to amend Salary Schedule III; and

WHEREAS, by letter dated February 3, 2023, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to add the position of Aging Services Assistant in Account A6774 at an annual base pay rate of \$34,845 and delete the position of Clerk, and add the position of Senior Aging Services Assistant in Account A6777 at an annual base pay rate of \$38,345 and delete the position of Aging Services Assistant; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to add the position of Aging Services Assistant in Account A6774 at an annual base pay rate of \$34,845 and delete the position of Clerk, and add the position of Senior Aging Services Assistant in Account A6777 at an annual base pay rate of \$38,345 and delete the position of Aging Services Assistant, effective February 20, 2023; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Malta, seconded by Mr. Weakley, Report and Resolution No. 53 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract between Office for the Aging and Department of Social Services for NY Connects Expansion & Enhancement was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 53

REPORT AND RESOLUTION AUTHORIZING CONTRACT BETWEEN OFFICE FOR THE AGING AND DEPARTMENT OF SOCIAL SERVICES FOR NY CONNECTS EXPANSION & ENHANCEMENT (FORMERLY KNOWN AS THE BALANCING INCENTIVE PROGRAM – BIP)

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

WHEREAS, by letter dated January 26, 2023 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 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; and

WHEREAS, said contract will be for the period from April 1, 2023 through March 31, 2024 and will be 100% funded by NY Connects Expansion & Enhancement; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period of April 1, 2023 through March 31, 2024, between the Herkimer County Office for the Aging and the Herkimer County Department of Social Services, for the provision of services in connection with the implementation of NY Connects Expansion & Enhancement, 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: February 15, 2023.

On motion of Mr. Shaw, seconded by Mr. Russell, Report and Resolution No. 54 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contract for meals on wheels for the Old Forge area was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 54

REPORT AND RESOLUTION AMENDING CONTRACT FOR MEALS ON WHEELS FOR THE OLD FORGE AREA

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

WHEREAS, Resolution No. 189 of 2021 awarded a contract for Meals on Wheels in the Old Forge area to Pur Foods LLC dba Mom's Meals through December 31, 2022 with an option for two one-year contract renewals; and

WHEREAS, by letter dated January 30, 2023 from Kathy Fox, request is being made to increase the number of estimated meals to be served from 40 to 55; now, therefore, be it

RESOLVED, that Resolution No. 189 of 2021 is hereby amended as follows:

Area:	Number of meals:	Cost:
<i>Old Forge & other rural areas:</i> Pur Foods LLC dba Mom's	up to 55 meals per day	\$7.36 per meal, up to \$102,414 for the 12 month period

Meals		
--------------	--	--

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 Pur Foods LLC dba Mom’s Meals.

Dated: February 15, 2023.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 55 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means creating accounts and amending 2022 budget in connection with Medicaid Healthcare Worker Bonus was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 55

REPORT AND RESOLUTION CREATING ACCOUNTS AND AMENDING 2022 BUDGET IN CONNECTION WITH MEDICAID HEALTHCARE WORKER BONUS

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

WHEREAS, by letter dated January 26, 2023, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the Herkimer County Sheriff’s Department applied for and has been awarded the Medicaid Healthcare Worker Bonus for employees who worked during the COVID-19 pandemic; and

WHEREAS, said letter further advises that it is necessary to amend the 2022 Budget and to create accounts to accept the funding and pay the employees; now, therefore, be it

RESOLVED, that accounts are created and the 2022 Herkimer County Budget is hereby amended as follows:

Revenue:	A3150.3089P, Jail, Healthcare Bonus	From: \$0
		To: \$4,306
Expense:	A3150-10000-001, Jail, Salaries	From: \$1,850,000
		To: \$1,854,000

A3150.83000, Jail, Social Security

From: \$157,659

To: \$157,907

A3150.83500, Jail, Medicare

From: \$37,126

To: \$37,184

and, be it further

RESOLVED, that in the event guidance is received from the State directing a different revenue account, the Treasurer is authorized to make any necessary adjustments at that time; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Ackerman, seconded by Mr. Russell, Report and Resolution No. 56 sponsored by the Committee on Ways & Means authorizing payment and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 56

REPORT AND RESOLUTION AUTHORIZING PAYMENT AND TRANSFERRING FUNDS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 26, 2023, from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the County has received an invoice from the New York State Office of Mental Health for an inmate who was placed in the facility by court order in 2022, with the amount due \$350,468.01; and

WHEREAS, the letter further requests a transfer be made to pay the invoice; now, therefore, be it

RESOLVED, that authorization is given for the above payment to the New York State Office of Mental Health, and that the Treasurer is authorized to make the following transfer in the 2022 budget to pay the invoice:

\$50,468.01 From: A6100.40000, Medicaid, Contractual
To: A3170.44000-453, Correctional Institution, Mental Health

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 Sheriff.

Dated: February 15, 2023.

On motion of Mr. Malta, seconded by Mr. Russell, Report and Resolution No. 57 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. II to create position was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 57

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II TO CREATE POSITION

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

WHEREAS, by letter dated February 1, 2023 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that Resolution No. 286 of 2021 authorized a renewal of a contract for the services of the Integrated County Planning Strategic Coordinator which has been a position that Herkimer County has funded contractually for over twenty-five years, supported by funding from the Herkimer County Department of Social Services, Youth Bureau and Mental Health Services; and

WHEREAS, said letter further requests the elimination of the contractual planning position and establishment of a new position entitled Integrated County Planning Coordinator; and

WHEREAS, by letter dated February 6, 2023 from Steve Billings, Personnel Officer, requests to amend Salary Schedule No. II by adding the position of Integrated County Planning Coordinator in Account A6010 at a 2023 base pay rate of \$65,000, effective April 3, 2023; and

WHEREAS, your Committees have taken this matter under consideration and recommend the establishment of the aforesaid position; now, therefore, be it

RESOLVED, that the 2023 Salary Schedule II is hereby amended in A6010 to establish the position of Integrated County Planning Coordinator at a 2023 base pay rate of \$65,000; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Donley, seconded by Mr. Stephens, Report and Resolution No. 58 sponsored by the Committee on Ways & Means amending Resolution No. 342 of 2022 authorizing agreement with New York State Defenders Association, Inc. was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 58

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 342 OF 2022, AUTHORIZING AGREEMENT WITH NEW YORK STATE DEFENDERS ASSOCIATION, INC.

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 342 duly adopted on November 16, 2022, this Legislature authorized an agreement with the New York State Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210, for Herkimer County Indigent Legal Services program to utilize E-Vouchering services, access to Legacy PDCMS, access training and annual support to perform required tasks including tracking individual cases, generating reports and vouchers with a monthly fee of \$35 for one user; and

WHEREAS, by letter dated January 26, 2023 from Lorraine Lewandrowski, County Attorney, this Legislature is advised of a request for an amendment of said contract to add one additional user and annual support for that user, at a cost of \$920; now, therefore, be it

RESOLVED, that the agreement with the New York State Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210, is hereby amended to add one additional user and support for the user at a cost of \$920; and, be it further

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

RESOLVED, that in all other respects, Resolution No. 342 of 2022 shall remain in full force and effect; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Executive Assistant for Indigent Legal Services, and New York State Defenders Association, Inc.

Dated: February 15, 2023.

On motion of Mr. Russell, seconded by Mr. Hollum, Report and Resolution No. 59 sponsored by the Committee on Ways & Means authorizing transfers of funds and budget amendments in 2022 budget and transfers of funds in 2023 budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 59

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS AND BUDGET AMENDMENTS IN 2022 BUDGET AND TRANSFERS OF FUNDS IN 2023 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated February 9, 2023, submitting requests for transfers of funds and budget amendments in the 2022 budget and transfers of funds in the 2023 budget, reports that we have examined said communication, inquired into the subject matters 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 sums from and to the following accounts and make the following budget amendments in the 2022 budget:

	From	To
\$222.00	A1010B.41000, Comm Dev Dir, Supplies	A1010B.10000-001, Comm Dev Dir, Salaries
\$4,860.00	A1320.10000-001, Auditor, Salaries	A1185.10000-001, Coroner, Salaries
\$112.00	A1320.10000-001, Auditor, Salaries	A1185.45000, Coroner, Fees For Services
\$112.00	A1320.10000-001, Auditor, Salaries	A1185.81000, Coroner, Retirement
\$450.00	A1320.10000-001, Auditor, Salaries	A1320.43000, Auditor, Insurance
\$5,885.00	A1326.46300, Co. Treasurer Property, Postage	A1325.10000-001, Treasurer, Salaries
\$501.00	A1325.44000, Treasurer, Contracted Service	A1325.81000, Treasurer, Retirement
\$834.00	A1340.44000, Budget & Purch., Contracted Svs.	A1340.10000-001, Budget & Purch., Salaries
\$12,124.00	A1165.10000-001, DA, Salaries	A1355.10000-001, Real Property, Salaries
\$834.00	A1450.41000, BOE, Supplies	A1450.10000-001, BOE, Salaries
\$2,000.00	A1450.46100-745, BOE, Conferences	A1450.10000-001, BOE, Salaries
\$18,000.00	A1450A.44000, BOE Admin.	A1450A.10100, Temp Employees
\$20,346.00	A1680.10000-001, IS, Salaries	A1450A.10100, Temp Employees
\$14,393.00	A1620.81000, Buildings, Retirement	A1620.10000-001, Buildings, Salaries
\$9,180.00	A3020.44000, Public Safety, Contracted Svs.	A1620.42000, Buildings, Utilities
\$2,410.00	A2960.43000, EOFC, Insurance	A2960.10000-001, EOFC, Salaries
\$9,485.00	A3020.44000, Public Safety, Contracted Svs.	A3020.81000, Public Safety, Retirement
\$871.00	A3020.44000, Public Safety, Contracted Svs	A3020.10000-001, Public Safety, Salaries
\$1,700.00	A3021.44000-455, Pub. Safety Comm., Misc. Cont.	A3021.10000-001 Pub. Safety Comm., Salaries
\$3,463.00	A3021.44000-455, Pub. Safety Comm., Misc. Cont .	A3021.86000, Pub. Safety Comm., HI
\$17,036.00	A3110.10000-001, Sheriff, Salaries	A3110.46200-776, Sheriff, Fuel
\$775.00	A3111.10100, Navigation, Temp. Employees	A3110.43000, Navigation, Insurance
\$17,618.00	A3110.10000-001, Sheriff, Salaries	A3112.81000, SPO/SRO, Retirement
\$22,235.00	A3110.10100-021, Sheriff, PPT	A3112.10100-021, SPO/SRO, PPT
\$2,223.00	A3140.81000, Probation, Retirement	A3140.10000-001, Probation, Salaries
\$1,960.00	A3140.81000, Probation, Retirement	A3141.10000-001, Alt. to Inc., Salaries
\$112,000.00	A6100.40000, Medicaid, Contractual	A3150.10100-021 Jail, PPT
\$26,615.00	A3150.81000, Jail, Retirement	A3150.42000, Jail, Utilities
\$814.00	A3315.44000, Special Traffic, Contracted	A3315.10000-001, Special Traffic, Salaries
\$54,063.00	A6100.40000, Medicaid, Contractual	A4010.10000-001, Public Health, Salaries
\$15,314.00	A4320.44000, Mental Health, Contracted Svs.	A4320.10000-001, Mental Health, Salaries
\$272.00	A6010A.44000, Welfare Mgmt., Contracted	A6010A.10000-001, Welfare Mgmt., Salaries
\$3,284.00	A6011.44000, SNAP, Contracted Services	A6011.10000-001, SNAP, Salaries

\$1,650.00	A6011.44000, SNAP, Contracted Services	A6011.86000, SNAP, Health Insurance
\$2,427.00	A6010.43000, DSS Admin., Insurance	A6510.10000-001, Veterans, Salaries
\$17,723.00	A6100.40000, Medicaid, Contractual	A6775.86000, CSE, Health Insurance
\$34,000.00	A6010.10000-001, DSS, Salaries	A6140.40000, Safety Net, Contractual
\$7,500.00	A6010.10000-001, DSS, Salaries	A6141.44000, HEAP, Contractual
\$13,005.00	A6776.10100, CII, Temp. Employees	A6776.86000, CII, Health Insurance
\$8,200.00	A7320.10100, YSWP, Temp. Employees	A7310.44000, Youth Bureau, Contracted
\$811.00	A7320.10100, YSWP, Temp Employees	A7320.43000, YSWP, Insurance
\$8,930.00	D5020.10000-001, Engineering, Salaries	D5010.10000-001, Highway Admin., Salaries
\$3,200.00	D5020.10000-001, Engineering, Salaries	D5110.10000-001, Maintenance, Salaries
\$8,698.00	D5110.81000, Maint. Division, Retirement	D5110.41000, Maint. Division, Supplies
\$14,230.00	DM5130.46200-888, Road Machinery, Unleaded	DM5130.81000, Road Machinery Retirement
\$11,000.00	DM5130.10100, Road Machinery, Temp Emp.	DM5130.81000, Road Machinery Retirement
\$127,904.97	D5144.44000, State Snow, Contracted	D5142.44000, County Snow, Contracted

AMENDMENTS		
	A1985.1110, Sales Tax	From: \$33,032,706.00
		To: \$34,205,007.76
	A1985.44000, Sales Tax, Contracted Svs.	From: \$10,143,816.00
		To: \$11,316,117.76
	A7150.3802, Snowmobile, State Aid	From: \$220,000.00
		To: \$269,582.40
	A7150.44000, Snowmobile, Contracted Svs.	From: \$220,000.00
		To: \$269,582.40

and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts in the 2023 budget:

2023 TRANSFERS		
\$10,000.00	G8130.25000, Sewer, Other Equipment	G8130.22000, Sewer, Computer Equipment
\$15,000.00	G8130.86000, Sewer, Health Insurance	G8130.22000, Sewer, Computer Equipment
\$2,000.00	A1010.46100, Legislature, Mileage	A1040.41000, Clerk of the Leg., Supplies

and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Manno, seconded by Mr. Ackerman, Report and Resolution No. 60 sponsored by the Committee on Education and the Committee on Ways & Means approving additional contingency for boiler project at Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 60

REPORT AND RESOLUTION APPROVING ADDITIONAL CONTINGENCY FOR THE BOILER PROJECT AT HERKIMER COUNTY COMMUNITY COLLEGE

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

WHEREAS, Resolution No. 344 of 2021 approved a project at Herkimer County Community College for the replacement of key heating components in the amount of \$2,000,000 with 50% coming from the County and 50% from the State; and

WHEREAS, by letter dated January 26, 2023, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that the bids for the project were lower than anticipated, creating a surplus of \$138,000 which the College is requesting be added to the contingency budget for the project to cover unanticipated expenses that were realized during the project; and

WHEREAS, the additional funding will cover the anticipated costs including \$33,230 with Siemen's for boiler controls, and \$14,400 for Sullivan Contracting for asbestos removal and monitoring as well as any other issues that may present themselves before the work is complete; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the surplus funding of \$138,000 in the Herkimer College boiler project be allocated to the contingency for the project; 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: February 15, 2023.

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 61 sponsored by the Committee on Ways & Means authorizing payments for requests from American Rescue Plan funding was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 61

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

Sponsored by: Committee on Ways and Means

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

WHEREAS, by letter dated February 3, 2023 from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, has advised that communications have been received requesting funding and have been approved for payment by the Legislator receiving the request for payment as follows:

Village of Mohawk	\$17,000	Legislator Hollum
Village of Ilion	\$10,000	Legislator Hollum
Town of Frankfort Police	\$10,000	Legislator Brezinski
Town of Frankfort Police	\$10,000	Legislator Manno
Frankfort Center VFD	\$13,000	Legislator Brezinski
Frankfort Hill VFD	\$13,000	Legislator Brezinski
MOVAC	\$14,000	Legislator Brezinski
Humane Society	\$10,000	Legislator Johnson
Herkimer Fire Department	\$3,150	Legislator Malta
Herkimer Fire Department	\$3,150	Legislator Schrader
Herkimer Fire Department	\$3,150	Legislator Gaworecki
Future Children’s Center	\$50,000	Legislator Bono
Salisbury Ridgerunners Club	\$10,000	Legislator Shaw

now, therefore, be it

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

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

Dated: February 15, 2023.

On motion of Mr. Hollum, seconded by Mr. Ackerman, Resolution No. 62 sponsored by the Committee on Administration/Veterans' Affairs requesting legislation authorizing exemption in Election Law for Herkimer County from requirement of polling place for Early Voting in largest city in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 62

RESOLUTION REQUESTING LEGISLATION AUTHORIZING EXEMPTION IN ELECTION LAW FOR HERKIMER COUNTY FROM REQUIREMENT OF POLLING PLACE FOR EARLY VOTING IN LARGEST CITY IN HERKIMER COUNTY

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, by letter from Kim S. Tranter, Election Commissioner and Robert J. Hoyt, Election Commissioner dated January 26, 2023, the Commissioners of the Herkimer County Board of Elections request assistance in seeking legislation to return Early Voting to the county seat in Herkimer; and

WHEREAS, in 2019 the New York State Legislature passed Early Voting requirements as part of New York State Election Law and said Election Law was subsequently amended in 2022 to require that the Early Voting site be moved to a city; and

WHEREAS, a greater number of early voting site options exist in the County Seat, the Commissioners of the Herkimer County Board of Elections request legislation amending New York State Election Law to allow the Early Voting site to be located in the County Seat of the County of Herkimer; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby requests that its Assemblymen and Senators introduce in the New York State Legislature bills to amend New York State Election Law to exempt Herkimer County from the Election Law requirement that at

least one polling place designated for early voting be located in the largest city or other municipality having the highest population in Herkimer County; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Board of Elections Commissioners, County Attorney, Senator Mark Walczyk, Senator Joseph A. Griffo, Assemblyman Robert Smullen, and Assemblyman Brian Miller.

Dated: February 15, 2023.

On motion of Mr. Hollum, seconded by Mr. Gaworecki, Resolution No. 63 sponsored by the Committee on Administration/Veterans' Affairs calling on the State of New York to continue to pass-thru federal Affordable Care Act Enhanced Federal Medicaid Assistance percentage funds was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 63

RESOLUTION CALLING ON THE STATE OF NEW YORK TO CONTINUE TO PASS-THRU FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE FUNDS

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, the SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-thru to counties and New York City; and

WHEREAS, the State is proposing to keep all of these federal savings going forward and use them to cover further expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-thru will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included; and

WHEREAS, Herkimer County taxpayers will take an over \$1.7 million hit; and

WHEREAS, the SFY 2024 costs to counties and New York City are scheduled to grow by 30 percent by SFY 2027; and

WHEREAS, it is the strong view of Herkimer County and NYSAC that congress intended these federal savings to be shared with counties proportional to the amount they contributed toward the nonfederal Medicaid match; and

WHEREAS, since 2003, the state has shared the funds proportionally based on our analysis of savings we have received during periods when an enhanced federal Medicaid match was enacted by Congress; and

WHEREAS, enacted in 2011, the Medicaid statutory cap for all 62 counties is \$7.6 billion. The Medicaid statutory cap for the 57 counties outside of New York City is \$2.25 billion; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties, the savings for a year were provided by lowering the weekly payments each county and NYC make to the state to support the State's Medicaid program, through February 1, 2023, the state continues to share the federal savings from the ACA eFMAP with the 57 counties and NYC; and

WHEREAS, Herkimer County strongly disagrees with the need to cut county funding so deeply when the Governor's budget proposes to fully fund its own reserves two years ahead of schedule depositing \$5.4 billion into reserves before the end of SFY 2023, while also projecting a general fund surplus of \$35 billion by the end of SFY 2024; now, therefore, be it

RESOLVED, that the Herkimer County Legislature calls on the State to continue to share these federal funds with counties as has been the precedent for over 20 years; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Kathy Hochul, Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congresswoman Elise Stefanik, Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, Senator Joseph A. Griffo, and the New York State Association of Counties.

Dated: February 15, 2023.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 64 sponsored by the Committee on County Properties and the Committee on Ways & Means awarding bid for renovations for the Unified Court System and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Donley, Campione, Russell, Shaw, Weakley (13).

Against: Ackerman (1). Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 64

REPORT AND RESOLUTION AWARDING BID FOR RENOVATIONS FOR THE UNIFIED COURT SYSTEM AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated February 9, 2023, Sheri A. Ferdula, Budget Officer/Purchasing Agent, has advised sealed bids were opened on February 8, 2023 for a contractor to complete renovations for the Unified Court System in the 301 North Washington Street building, with the project being 100% reimbursed from the courts; and

WHEREAS, said letter advises it is the recommendation of Nelson Associates that the bid be awarded to the lowest bidder, J. Priore Construction, 316 Ontario Street, Utica, NY 13501, in the amount of \$175,000; and

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

RESOLVED, that a bid for the Unified Court System remodel in the amount of \$175,000, be awarded to J. Priore Construction; and, be it further

RESOLVED, that an appropriation within the 2023 budget be made as follows:

\$175,000	From: A889N, Reserve, Buildings Project 3-2
	To: H1620.40000, Capital, Buildings, Contractual Project 3-2

and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Donley, seconded by Mr. Gaworecki, Report and Resolution No. 65 sponsored by the Committee on County Properties approving sale of County owned tax acquired land was handed up; discussion was held; voted on and adopted by roll call vote:

For: Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (13).

Against: Malta (1).

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 65

REPORT AND RESOLUTION APPROVING SALE OF COUNTY OWNED TAX ACQUIRED LAND

Sponsored by: Committee on County Properties

WHEREAS, by Resolution No. 296 for the year 2022 duly adopted on October 5, 2022, this Legislature authorized and directed the sale at public auction, after due advertisement, of certain county owned tax acquired real property under the direction of the County Treasurer; and

WHEREAS, the County Properties Committee of this Legislature reported that said sale was duly held pursuant to said direction on October 29, 2022 in Herkimer, New York; and

WHEREAS, by Resolution No. 346 of 2022, this Legislature approved the sales by auction reported by the Properties Committee and authorized the County Treasurer to convey each said property, except for Tax Parcel No. 089.1-2-11 in the Town of Russia, until a court had rendered a decision on the Order to Show Cause brought by the Estate of Karen C. Prindle in reference to said parcel; and

WHEREAS, on February 1, 2022, Hon. Michael L. Dwyer, by bench decision, denied the Estate of Karen C. Prindle's motion requesting the court to vacate the judgment of foreclosure and enjoining the County of Herkimer from conveying the interest in said parcel to the successful tax sale bidders; and

WHEREAS, by letter of Jennifer Casey, County Property Agent. dated February 2, 2023 seeking approval of the Herkimer County Legislature, upon the Court's denial of the Order to Show Cause, to now convey Tax Map Parcel No. 089.1-2-11 to the successful bidders at the October 29, 2022 auction; now, therefore, be it

RESOLVED, that upon the filing of the Order of the Hon. Michael L. Dwyer in the Office of the Herkimer County Clerk, this Legislature authorizes the County Treasurer to convey said Tax Map Parcel No. 089.1-2-11 to Aaron Wilson and Dakota Lynch, the highest bidders on said parcel at the October 29, 2022 tax sale, provided said bidders have paid the required purchase price and the expenses to the County Treasurer, and to make conveyance by quit claim deed and to record each said deed; and, be it further

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

Dated: February 15, 2023.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Resolution No. 66 sponsored by the Committee on County Properties and the Committee on Ways & Means concerning premises in the Village of Herkimer was handed up; discussion was held; voted on and adopted by roll call vote:

For: Gaworecki, Stephens, Brezinski, Manno, Swartz, Bono, Donley, Campione, Weakley (9).

Against: Malta, Hollum, Ackerman, Russell, Shaw, (5).

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 66

RESOLUTION CONCERNING PREMISES IN THE VILLAGE OF HERKIMER

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

WHEREAS, by Resolution No. 123 of 2009, the Herkimer County Legislature resolved that there was no practical method to enforce the collection of the delinquent tax lien on Tax Map Nos. 120.25-1-22 and 120.25-1-26 in the Village of Herkimer; and

WHEREAS, by Resolution No. 123, the Herkimer County Legislature directed the issuance of a Certificate of Prospective Cancellation on the above parcels, thereby rendering the parcels exempt from taxation until it is determined by the Legislature that the parcels should be restored to the taxable portion of the tax roll; and

WHEREAS, by Certificate of Prospective Cancellation dated April 24, 2009, Herkimer County Enforcing Officer, Pamela J. Putch, filed a Certificate of Prospective Cancellation as directed by the Herkimer County Legislature; and

WHEREAS, by Deed dated July 27, 2021 and filed in the Office of the Herkimer County Clerk at RP2021-4115, the Herkimer County Industrial Development Agency deeded exempt Tax Map Parcel Nos. 120.25-1-22 and 120.25-1-26 to HMQ 1890, LLC, a New York limited liability company; and

WHEREAS, request has been made for the restoration of Tax Map Nos. 120.25-1-22 and 120.25-1-26 to the taxable portion of the assessment roll; and

RESOLVED, that the enforcing officer is hereby directed to issue a Certificate of Restoration setting forth the relevant facts with the Assessor and County Director of Real Property Tax Services; and, be it further

RESOLVED, that the County Director of Real Property Tax Services is directed to take any necessary measures to restore Tax Map Nos. 120.25-1-22 and 120.25-1-26 to the taxable portion of the assessment roll prior to March 1, 2023; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Property Agent, Director of Real Property Tax Services, Town of Herkimer Assessor, the Town of Herkimer, the Village of Herkimer, and Herkimer Central School District.

Dated: February 15, 2023.

On motion of Mr. Ackerman, seconded by Mr. Hollum, Resolution No. 67 sponsored by the Committee on Administration/Veterans' Affairs urging action by New York State Legislators to advocate on behalf of SUNY Community Colleges to increase funding to Community Colleges in the State Budget was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14). Against: None.

Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 67

RESOLUTION URGING ACTION BY NEW YORK STATE LEGISLATORS TO ADVOCATE ON BEHALF OF SUNY COMMUNITY COLLEGES TO INCREASE FUNDING TO COMMUNITY COLLEGES IN THE STATE BUDGET

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, SUNY's community colleges serve the largest percentage of low income, historically marginalized populations, and many working adults of all SUNY sectors; and

WHEREAS, the Governor's Executive Budget calls for a flat amount of base operating aid and with no increase to base aid, community colleges will be unable to appropriately and substantially be able to meet the Governor's and SUNY Chancellor's Equity Agenda; and

WHEREAS, the community college sector and SUNY Adirondack advocated for a 4% increase over last year's funding to accommodate cost of living increases, inflationary related expenses, and operating needs to support student success; and

WHEREAS, the Governor has also added language in the Executive Budget Aid to Localities Bill, Page 899, Lines 20-43 of the Same: "... provided further that up to 20 percent of the amount of aid authorized pursuant to this appropriation shall be payable subject to a plan developed by the state university of New York and approved by the director of the budget with actions necessary for community colleges to undertake in order to operate without reliance on the base aid funding floor in future years"; and

WHEREAS, if the Governor's proposed budget and proposal to hold back needed operating funds remains unchanged, Herkimer College would forego about Two Hundred Eleven Thousand Dollars (\$211,000) in base State Aid, as well as potentially lose an additional One Million Five Hundred and Fifty Thousand Dollars (\$1,550,000) if 20% of the aid was held for a period of time or indefinitely; and

WHEREAS, any delay in state aid payment creates an undue burden on the community colleges to manage operating expenses, including payroll; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby urges New York State Legislators to advocate on behalf of the community college sector of SUNY by adding an additional \$17 million in operating base aid for the community colleges as requested and remove any language to hold back 20% of operating base aid; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to forward advocacy letters to State Legislators concerning the same; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator Mark Walczyk, Senator Joseph A. Griffo, Assemblyman Robert Smullen, Assemblyman Brian Miller, President of Herkimer County Community College, Vice President for Administration and Finance of Herkimer County Community College, and NYSAC.

Dated: February 15, 2023.

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

At 7:27 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, March 15, 2023 at 7:00 p.m.

Brittney R. Viscomi, Clerk