

MINUTES
Herkimer County Legislature
Second Quarter – Third Day
Wednesday, May 17, 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 Legislator Robert Schrader, 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, Stephens, Brezinski, Manno, Swartz, Bono, Donley, Russell, Shaw, Weakley (13).

Absent: Johnson, Keeler, Ackerman, Campione (4).

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 April 26, 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. 188 – A communication was received from the family of Berdie Drabent expressing thanks. Filed.

No. 189 – A communication was received from the New York State Department of State advising of Filing of Local Law No. 5 for 2023. Filed.

No. 190 – A communication was received from NYSAC acknowledging receipt of Resolution No. 99. Filed.

No. 191 – A communication was received from the Solid Waste Authority submitting December meeting minutes. Filed.

No. 192 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 193 – A communication was received from NYSAC acknowledging receipt of Resolution No. 152. Filed.

No. 194 – A communication was received from Capital District OTB submitting financial report for November 2022 and Annual Report for 2021 and 2022. Filed.

No. 195 – A communication was received from the Sheriff submitting March 2023 Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 196 – A communication was received from the Personnel Officer requesting contract for Drug & Alcohol Testing. Referred to the Committee on Ways & Means.

No. 197 – A communication was received from the Highway Superintendent requesting purchase of new sweeper. Referred to the Committee on Highways.

No. 198 – A communication was received from the Director of Public Health requesting contracts with agencies and contracted therapists for the provision of education/related services. Referred to the Committee on Human Resources.

No. 199 – A communication was received from the Director of Information Services submitting 2022 Annual Reports for the Information Services Department and Central Printing. Referred to the Committee on Information Services.

No. 200 – A communication was received from the Director of Public Health submitting 2022 Annual Report. Referred to the Committee on Human Resources.

No. 201 – A communication was received from the County Treasurer submitting 2022 Annual Report. Referred to the Committee on Ways & Means.

No. 202 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation in Sheriff's Department. Referred to the Committee on Ways & Means.

No. 203 – A communication was received from the County Clerk submitting Semi-Annual Mortgage Tax Report. Referred to the Committee on Ways & Means.

No. 204 – A communication was received from the County Treasurer submitting Apportionment of Mortgage Tax. Referred to the Committee on Ways & Means.

No. 205 – A communication was received from the Director of Probation requesting renewal of Alternatives to Incarceration Contract. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 206 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in Emergency Services. Referred to the Committee on Ways & Means.

No. 207 – A communication was received from the Executive Director of the Youth Bureau requesting contracts with agencies for youth programs. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 208 – A communication was received from the Budget Officer/Purchasing Agent requesting payments in connection with American Rescue Plan funding. Referred to the Committee on Ways & Means.

No. 209 – A communication was received from the Personnel Officer requesting to amend Salary Schedule III and hourly salary schedule in County Clerk's Office. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 210 – A communication was received from the County Attorney requesting amendment to the laundry list. Referred to the Committee on Ways & Means.

No. 211 – A communication was received from the Director of Community Services requesting to accept underpayment from CDPHP. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 212 – A communication was received from the Director of Employment & Training requesting Lease Agreement with New York State Department of Labor. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 213 – A communication was received from the Director of Community Services requesting amendment to contract with TenEleven. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 214 – A communication was received from the Director of Community Services requesting amendment to contract with the Beacon Center. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 215 – A communication was received from the Commissioner of Social Services requesting amendment to contract with the Beacon Center. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 216 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 217 – A communication was received from the Commissioners of Elections requesting amendment to Resolution No. 29 of 2023. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 218 – A communication was received from the Commissioner of Social Services requesting contract with Lifeline Services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 219 – A communication was received from the Commissioners of Elections requesting disposal of Dominion voting machines. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 220 – A communication was received from the Director of Public Health requesting amendment to the laundry list. Referred to the Committee on Human Resources and the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Legislator Gaworecki, Chairman of the County Properties Committee gave an update on the current projects; Legislator Bob Hollum, Chairman of the Administration/Veterans' Affairs Committee gave an update on the new voting machines; and Chairman Bono gave an update on a resolution that will be coming up for the Solid Waste Authority and the current State of Emergency for Herkimer County.

On motion of Mr. Stephens, seconded by Mr. Schrader, Resolution No. 153 – Resolution No. 157 were handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).

Consent Agenda:

- 153 INFO SVCS.: Adopting Annual Report of Information Services Department and Central Printing Department
- 154 HUMAN RES.: Adopting Annual Report of Public Health Nursing Service
- 155 WAYS & MEANS: Adopting Annual Financial Report of the Co. Treasurer
- 156 WAYS & MEANS: Amending Res. No. 366 of 2022
- 157 WAYS & MEANS: Amending Res. No. 366 & No. 367 of 2022



HERKIMER COUNTY LEGISLATURE

No. 153

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

Sponsored by: Committee on Information Services

WHEREAS, your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2022, and the

Annual Report for the Central Printing Department for the year 2022, respectfully reports that we have examined the same, recommend the adoption of said reports, and offer the following Resolution:

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

Dated: May 17, 2023.



HERKIMER COUNTY LEGISLATURE

No. 154

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PUBLIC HEALTH NURSING SERVICE

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report for 2022 of the Herkimer County Public Health Nursing Service, 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 Public Health Nursing Service be adopted and placed on file with the Herkimer County Legislature for the year 2022.

Dated: May 17, 2023.



HERKIMER COUNTY LEGISLATURE

No. 155

REPORT AND RESOLUTION ADOPTING ANNUAL FINANCIAL REPORT OF THE HERKIMER COUNTY TREASURER

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Financial Report of the Herkimer County Treasurer for the year 2022, respectfully reports that we have examined the same, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Financial Report of the Herkimer County Treasurer for the year 2022 be adopted and placed on file with the Herkimer County Legislature.

Dated: May 17, 2023.



HERKIMER COUNTY LEGISLATURE

No. 156

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 366 OF 2022 AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2023

Sponsored by: Committee on Ways and Means

WHEREAS, on December 14, 2022 this Legislature adopted Resolution No. 366 authorizing payment of dues for municipal officers and employees during the year 2023; and

WHEREAS, by communication dated April 26, 2023, from Lorraine Lewandrowski, County Attorney, request is made to increase the annual membership fee for the New York State Public Employer Labor Relations Association Inc. (NYSPELRA) Dues from \$215 to \$230; now, therefore, be it

RESOLVED, that Resolution No. 366 adopted on December 14, 2022, be amended under County Attorney, to increase the annual membership for the NYSPELRA Dues from \$215 to \$230; and, be it further

RESOLVED, that in all other respects Resolution No. 366 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, and County Attorney.

Dated: May 17, 2023.



HERKIMER COUNTY LEGISLATURE

No. 157

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 366 OF 2022 AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2023 AND RESOLUTION NO. 367 OF 2022 AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2023

Sponsored by: Committee on Ways and Means

WHEREAS, on December 14, 2022 this Legislature adopted Resolution No. 366 authorizing payment of dues for municipal officers and employees during the year 2023 and Resolution No. 367 authorizing attendance at conferences for municipal officers and employees during the year 2023; and

WHEREAS, by communication dated March 31, 2023, from Christina Cain, Director of Public Health, request is made to add the “Association for Professionals and Infection Control and Epidemiology” (APIC) to the conferences list and the dues list with a price of \$235.00; now, therefore, be it

RESOLVED, that Resolution No. 366 adopted on December 14, 2022, be amended under Public Health, to add the Association for Professionals and Infection Control and Epidemiology at a cost of \$235.00, paid up front by the County and then reimbursed by a grant received by Public Health; and, be it further

RESOLVED, that Resolution No. 367 adopted on December 14, 2022, be amended under Public Health, to add the Association for Professionals and Infection Control and Epidemiology conference; and, be it further

RESOLVED, that in all other respects Resolution No. 366 and Resolution No. 367 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, and Director of Public Health.

Dated: May 17, 2023.

The Chairman continued with the Regular Agenda.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 158 sponsored by the Committee on Ways & Means authorizing appropriation of funds was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 158

REPORT AND RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated April 28, 2023, submitting a request for appropriation of funds from the Jail Commissary Reserve, with the funds to be used for supplies and equipment for inmates, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said appropriation be made; and

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

RESOLVED, that an appropriation be made as follows:

\$3,300 From: A889S, Jail Commissary
 To: A3150C.41000, Jail Commissary, Supplies

and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Schrader, seconded by Mr. Shaw, Report and Resolution No. 159 sponsored by the Committee on Ways & Means apportioning mortgage tax was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 159

REPORT AND RESOLUTION APPORTIONING MORTGAGE TAX

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the report of the Recording Officer and County Treasurer showing the amounts received from the mortgage taxes, respectfully reports that we have examined the report containing the list of mortgages as kept by the Herkimer County Clerk, and herewith submit the following report showing the apportionment to the several towns, villages and the City in the County. Your Committee

recommends that the Herkimer County Treasurer be authorized to draw warrants payable to the Supervisors of the several towns and to the City of Little Falls, and to the Treasurers of the incorporated villages in an amount apportioned as indicated on the tabulated statement recommended by the Committee herewith, and your Committee offers the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to draw warrants payable to the Supervisors of the several towns in Herkimer County and to the Treasurer of the City of Little Falls and the Treasurers of the incorporated villages in the County of Herkimer entitled to a portion thereof, in the amounts of mortgage taxes apportioned respectively, and that a certified copy of the Resolution be served by the Clerk of this Legislature on the Herkimer County Treasurer.

Dated: May 17, 2023.

APPORTIONMENT OF MORTGAGE TAX
October 1, 2022 – March 31, 2023

TOWNS	TOTAL TAX RECEIVED	TOWN SHARE	INCLUDING VILLAGES	VILLAGES SHARES
COLUMBIA	\$ 9,097.78	\$9,097.78		
DANUBE	15,312.87	15,312.87		
FAIRFIELD	13,119.85	12,151.20	MIDDLEVILLE	\$ 968.65
FRANKFORT	45,975.72	41,096.87	FRANKFORT	4,795.80
			ILION	83.05
GERMAN FLATTS	60,687.44	38,684.59	ILION	16,433.91
			MOHAWK	5,568.94
HERKIMER	42,782.94	29,373.48	HERKIMER	13,409.46
LITCHFIELD	13,222.48	13,222.48		
C/O LITTLE FALLS	27,955.20	27,955.20		
T/O LITTLE FALLS	4,503.50	4,503.50		
MANHEIM	21,259.46	17,614.23	DOLGEVILLE	3,645.23
NEWPORT	11,361.68	9,774.44	MIDDLEVILLE	234.59
			NEWPORT	1,168.11
			POLAND	184.54
NORWAY	7,442.40	7,442.40		
OHIO	5,504.83	5,504.83		
RUSSIA	10,489.38	9,782.40	COLD BROOK	251.16
			POLAND	455.82
SALISBURY	10,927.23	10,927.23		
SCHUYLER	35,046.15	35,046.15		
STARK	5,304.03	5,304.03		
WARREN	3,284.75	3,284.75		
WEBB	72,754.03	72,754.03		
WINFIELD	7,771.64	6,801.97	WEST WINFIELD	969.67
TOTAL	\$ 423,803.36	\$375,634.43		\$48,168.93

Herkimer County Treasurer \$619.09

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 160 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing renewal of Alternatives to Incarceration contracts was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 160

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF ALTERNATIVES TO INCARCERATION CONTRACTS

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

WHEREAS, by communication dated April 27, 2023, Garry Murphy, Director of Probation, advises that the State of New York Division of Criminal Justice Services has approved an extension to the Alternatives to Incarceration Plan and awards for the Pre-trial Release Program and the Community Service Program in the amount of \$12,733 for the period July 1, 2023 through June 30, 2024; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute and e-sign the annual contracts for the Pre-Trial Release Program and Community Service Program for the period of July 1, 2023 through June 30, 2024; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Probation, and the New York State Division of Criminal Justice Services.

Dated: May 17, 2023.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 161 sponsored by the Committee on Ways & Means authorizing transfer of funds and creating account in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 162

REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR THE YOUTH PROGRAMS FOR 2023

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

WHEREAS, by letter dated April 3, 2023, from Regina Giacovelli, Executive Director of the Herkimer County Youth Bureau, this Legislature is advised that the New York State Office of Children and Family Services has approved Herkimer County’s Resource Allocation Plan (RAP) for 2023, which includes requested state aid in the amount of \$73,100; and

WHEREAS, by said letter, the Executive Director of the Herkimer County Youth Bureau advises that the Youth Bureau now desires to enter into contracts for 2023 with local agencies for the implementation of the Youth Development Programs; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts, subject to reimbursement from the State of New York, with the following agencies in the amounts listed:

Little Falls YMCA, School’s Out Scholarship Program - \$6,044.00
Little Falls YMCA, Unsupervised Youth Alternatives - \$5,663.00
Little Falls Family YMCA, 15 Jackson Street, Little Falls NY, 13365

Catholic Charities of Herkimer County, Domestic Violence Program - \$4,468.00
Runaway and Homeless Youth Program - \$10,454.00
Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357

Center for Family Life and Recovery, Short Term Prevention Services - \$4,693.00
Center for Family Life and Recovery, 502 Court Street, Suite 401, Utica, NY 13502

Juvenile Officer/School Resource Officer - \$1,875.00
Herkimer Police Department, 120 Green Street, Herkimer, NY 13350

Rescue Heroes Program - \$8,548.00
BOCES, 352 Gros Blvd., Herkimer, NY 13350

Runaway and Homeless Youth (60% state funding, 20% agency match, 20% county match)

Catholic Charities of Herkimer County, Runaway and Homeless Youth Program –
\$10,454.00 – State share,
\$ 3,484.50 – Catholic Charities match,
\$ 3,484.50 – Herkimer County match
Program total: \$17,423.00

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Executive Director of the Herkimer County Youth Bureau, and the

above listed agencies.

Dated: May 17, 2023.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 163 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing entering into a Memorandum of Understanding (MOU) with the State of New York for the One-Stop Career Center was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 163

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

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

WHEREAS, by letter dated April 25, 2023, Karin Piseck, Employment & Training Director, has advised your Committees that the State of New York has requested a resolution that authorizes the Chairman of the Legislature to sign a new Memorandum of Understanding for the time period of October 1, 2021 through September 30, 2024 to give the State the right to use and occupy space at the Herkimer County Working Solutions One Stop Career Center for a sum of \$38,853.84 yearly, or \$3,237.82 monthly; and

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

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a new Memorandum of Understanding with the State of New York, whereby the State will pay for the right to use and occupy space at the Herkimer County Working Solutions One Stop Career Center for the time period of October 1, 2021 to September 30, 2024 for a sum of \$38,853.84 yearly, or \$3,237.82 monthly, and with said license agreement subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Gaworecki, seconded by Mr. Stephens, Report and Resolution No. 164 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting an underpayment from Capital District Physician's Health Plan in the Mental Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 164

REPORT AND RESOLUTION ACCEPTING AN UNDERPAYMENT FROM CAPITAL DISTRICT PHYSICIAN'S HEALTH PLAN IN THE MENTAL HEALTH DEPARTMENT

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

WHEREAS, by letter dated April 25, 2023 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised that the Herkimer County Mental Health Clinic has an existing contract with Capital District Physician's Health Plan (CDPHP) to provide outpatient mental health services; and

WHEREAS, letter further advises that CDPHP notified the Department of Mental Health that they neglected to reimburse the clinic the highest reimbursable rate for services that the clinic provided in 2015 and 2016, in the amount of \$2,425.77; now, therefore, be it

RESOLVED, that the underpayment from CDPHP in the amount of \$2,425.77 is hereby accepted; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign the settlement agreement with CDPHP; and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 165 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contract for electronic medical records system for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 165

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

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

WHEREAS, by Resolution No. 139 dated May 15, 2019, this Legislature approved a contract renewal with TenEleven Group Incorporated of East Amherst, New York, for the provision of an electronic medical records system and ongoing technical support services for Herkimer County Mental Health Services beginning July 27, 2019 through July 26, 2024; and

WHEREAS, by letter dated April 24, 2023, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend the agreement to add a new prescriber, Linda Talerico, Psychiatric Nurse Practitioner, for a one-time fee of \$1,402.50; now, therefore, be it

RESOLVED, that Resolution No. 139 dated May 15, 2019 be amended to add a new prescriber, Linda Talerico, Psychiatric Nurse Practitioner, for a one-time fee of \$1,402.50; and, be it further

RESOLVED, that in all other respects, Resolution No. 139 of 2019 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, Director of Information Services, Director of Community Services, and TenEleven Group Incorporated.

Dated: May 17, 2023.

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 166 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending the contract in Herkimer County Mental Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 166

REPORT AND RESOLUTION AMENDING CONTRACT IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

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

WHEREAS, Resolution No. 281 of 2022 authorized a contract with the Beacon Center in the Mental Health Department; and

WHEREAS, by letter dated April 25, 2023, Kristen Snyder-Branner, Director of Community Services, has requested to amend the contract due to the Psychiatric Nurse Practitioner through the Beacon Center providing bridge prescriptions for psychiatric medications for those incarcerated individuals that are enrolled in the Medication Assisted Treatment Program; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an amended contract with the Beacon Center, 3354 Sheridan Drive, Amherst, NY 14233; and, be it further

RESOLVED, that in all other respects, Resolution No. 281 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, Director of Community Services, and the Beacon Center.

Dated: May 17, 2023.

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No. 167 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contract for Herkimer County Office for the Aging and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 167

REPORT AND RESOLUTION AMENDING CONTRACT FOR HERKIMER COUNTY OFFICE FOR THE AGING AND AMENDING THE BUDGET

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

WHEREAS, Resolution No. 58 of 2022, authorized a contract renewal for HIICAP funding for the Herkimer County Office for the Aging; and

WHEREAS, by letter dated April 26, 2023, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to amend a contract with Catholic Charities for HIICAP (Health Insurance Information, Counseling & Assistance Program) for the program year beginning April 1, 2022 to March 31, 2023 for an additional \$900 for a volunteer stipend program; and

WHEREAS, by letter dated April 28, 2023, from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2023 Budget for the additional \$900; now, therefore, be it

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

A6870.3780, Aging, HIICAP, State Aid	From: \$41,000
	To: \$41,900
A6780.44000, Aging, HIICAP, Contracted Services	From: \$41,000
	To: \$41,900

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: May 17, 2023.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 168 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Resolution No. 317 of 2019 authorizing renewal of agreement for provision of screening services to Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 168

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 317 OF 2019 AUTHORIZING RENEWAL OF AGREEMENT FOR PROVISION OF SCREENING SERVICES TO DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by Resolution No. 317 adopted November 13, 2019 the Chairman of the Legislature and the Commissioner of Social Services were authorized to enter into an agreement with Beacon Center, Inc., 3354 Sheridan Drive, Amherst, New York 14223, for the provision of all services for, and administration of, drug and alcohol/substance abuse screening/testing for the Herkimer County Department of Social Services; and

WHEREAS, by letter dated April 26, 2023, Timothy Seymour, Commissioner of Social Services, has advised that the Beacon Center has recently developed a seventeen (17) panel hair follicle test at a cost of \$325; now, therefore, be it

RESOLVED, that the (17) panel hair follicle test be included in the menu testing options under this agreement and the Chairman of the Legislature is authorized to execute an amended agreement with the Beacon Center, Inc., 3354 Sheridan Drive, Amherst, New York 14223; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into renewals of said agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; with the final form of said agreement to be subject to the approval of the County Attorney; and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 169 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract in Department of Social Services with Lifeline Systems Company was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 169

REPORT AND RESOLUTION AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES WITH LIFELINE SYSTEMS COMPANY

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

WHEREAS, by letter dated April 27, 2023 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into an agreement with Lifeline Systems Company, 111 Lawrence St. MS29, Framingham, MA 01702 for the provision of Personal Emergency Response Services; and

WHEREAS, this contract will be for the period of July 1, 2023 through December 31, 2024, with rates formulated by the NYS Department of Health; now, therefore, be it

RESOLVED, that this authorizes an agreement between Lifeline Systems Company, 111 Lawrence St. MS29, Framingham, MA 01702, and the Herkimer County Department of Social Services, for the provision of Personal Emergency Response Services, for the period beginning July 1, 2023 to December 31, 2024, with rates formulated by the NYS Department of Health; 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 the Chairman of this Legislature is further authorized to enter into annual renewals of said agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Weakley, seconded by Mr. Shaw, Report and Resolution No. 170 sponsored by the Committee on Administration/Veterans' and the Committee on Ways & Means amending Resolution No. 29 of 2023 authorizing contract for voter registration system was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 170

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 29 OF 2023 AUTHORIZING CONTRACT FOR VOTER REGISTRATION SYSTEM

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

WHEREAS, by Resolution No. 29 of 2023, a contract was approved for a period of three years with NTS Data Services, LLC, for the provision of ongoing support and maintenance of a voter registration system; and

WHEREAS, by letter dated April 26, 2023 from Kim S. Tranter and Robert J. Hoyt, Commissioners of Elections, this Legislature is advised of a request to amend Resolution No. 29 of 2023 to adjust the total amount due for the 2023 year from \$31,960 to \$32,919; now, therefore, be it

RESOLVED, that Resolution No. 29 of 2023 is hereby amended to adjust the total amount due for the year 2023 from \$31,960 to \$32,919; and, be it further

RESOLVED, that in all other respects, Resolution No. 29 of 2023 shall remain in full force and effect; and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Gaworecki, seconded by Mr. Malta, Report and Resolution No. 171 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing disposal of Dominion voting machines was handed up; voted on and adopted by voice vote:

For: Ayes (12).

Against: None.

Abstain: Stephens (1).

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 171

REPORT AND RESOLUTION AUTHORIZING DISPOSAL OF DOMINION VOTING MACHINES

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

WHEREAS, by letter from Kim Tranter and Robert J. Hoyt, Commissioners of Elections, dated April 24, 2023, request has been made for authorization to dispose of old Dominion voting machines; and

WHEREAS, your Committees have discussed various disposal options; now, therefore, be it

RESOLVED, that the Herkimer County Board of Elections be authorized to dispose of old Dominion voting machines by providing machines to any interested municipality or school district in Herkimer County at no charge; and, be it further

RESOLVED, that any remaining Dominion voting machines be properly disposed of by the Herkimer County Board of Elections; and, be it further

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

Dated: May 17, 2023.

On motion of Mr. Russell, seconded by Mr. Malta, Report and Resolution No. 172 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 (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 172

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 April 28, 2023 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, she 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:

Kuyahoorra Ambulance	\$20,000	Russell	Upgrades and Equipment
Kuyahoorra Ambulance	\$16,600	Weakley	Capital Improvements
Poland Fire Department	\$16,740	Weakley	Storage Unit
Village of Frankfort	\$40,000	Manno	Equipment and Cameras
Herkimer CSD	\$3,000	Gaworecki	Lockdown Kits
Herkimer CSD	\$3,000	Malta	Lockdown Kits
Herkimer CSD	\$3,000	Schrader	Lockdown Kits
Herkimer Police Dept	\$1,029	Malta	Lights for Bike
Herkimer Youth Softball	\$1,500	Malta	Equipment

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: May 17, 2023.

On motion of Mr. Hollum, seconded by Mr. Stephens, Resolution No. 173 sponsored by the Committee on Administration/Veterans’ Affairs authorizing Home Rule Request was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 173

RESOLUTION AUTHORIZING HOME RULE REQUEST

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly entitled, "AN ACT to amend the public officer's law, in relation to residency requirement for the Herkimer County Commissioner of Social Services"

In the Assembly
In the Senate

A.6770
S.6405

and

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

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

Dated: May 17, 2023.

On motion of Mr. Donley, seconded by Mr. Shaw, Resolution No. 174 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing Home Rule Request was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 174

RESOLUTION AUTHORIZING HOME RULE REQUEST

Sponsored by: Committee on Administration/Veterans' Affairs

Committee on Ways and Means

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

In the Assembly	A.6580
In the Senate	S.6406

and

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

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

Dated: May 17, 2023.

On motion of Mr. Hollum, seconded by Mr. Russell Resolution No. 175 sponsored by the Committee on Administration/Veterans’ Affairs and the Committee on Ways & Means authorizing Home Rule Request was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Ackerman, Campione (4).



HERKIMER COUNTY LEGISLATURE

No. 175

RESOLUTION AUTHORIZING HOME RULE REQUEST

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

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

In the Assembly	A.6582
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In the Senate

S.6407

and

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

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

Dated: May 17, 2023.

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

At 7:20 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, June 7, 2023 at 7:00 p.m.

Brittney R. Viscomi, Clerk