

MINUTES
Herkimer County Legislature
First Quarter – Fourth Day
Wednesday, March 18, 2026
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Peter J. Campione at 7:00 p.m.

Chairman Campione called on Legislator Rodney Swartz, to lead the Legislature in the Pledge of Allegiance.

Chairman Campione 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, Wedemeyer, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (16).

Absent: Haehl (16).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Campione asked if there were any objections or corrections to the minutes of February 18, 2026. There were none, and the Chairman ordered them approved.

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

Chairman Campione 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. Mr. Malta requested Communication No. 88 be read.

No. 87 – A communication was received from Senator Walczyk advising of receipt of Resolution No. 29 of 2026. Filed.

No. 88 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 89 – A communication was received from the County Auditor submitting tax corrections for the month of February 2026. Filed.

No. 90 – A communication was received from the Sheriff submitting December 2025 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 91 – A communication was received from the Sheriff submitting January 2026 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 92 – A communication was received from the Sheriff requesting maintenance contract for Trane Service Agreement. Referred to the Committee on County Properties, the Committee on Public Safety & Emergency Management, and the Committee on Ways & Means.

No. 93 – A communication was received from the Director of Employment & Training requesting MOU for office space usage to provide fingerprinting services. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 94 – A communication was received from the County Clerk submitting 2025 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 95 – A communication was received from the Budget Officer/Purchasing Agent submitting 2025 Annual Report. Referred to the Committee on Ways & Means.

No. 96 – A communication was received from the Highway Superintendent submitting 2025 Annual Report. Referred to the Committee on Highways.

No. 97 – A communication was received from the Director of Weights & Measures submitting 2025 Annual Report. Referred to the Committee on Natural Resources.

No. 98 – A communication was received from the Director of Information Services submitting 2025 Annual Report for the Information Services Department and the 2025 Annual Report for Central Printing. Referred to the Committee on Information Services.

No. 99 – A communication was received from the Sewer District Chief Plant Operator submitting 2025 Annual Report. Referred to the Committee on Natural Resources.

No. 100 – A communication was received from the Director of Public Health submitting 2025 Annual Report. Referred to the Committee on Human Resources.

No. 101 – A communication was received from the Director of Real Property Tax Services submitting 2025 Annual Report. Referred to the Committee on Ways & Means.

No. 102 – A communication was received from the Chief Executive Officer of the IDA requesting performance public hearing. Referred to the Committee on County Planning & Development.

No. 103 – A communication was received from the Personnel Officer requesting adoption of Gender-Based Violence and the Workplace Policy. Referred to the Committee on Ways & Means.

No. 104 – A communication was received from the Personnel Officer requesting creation of temporary part-time position in the Youth Bureau. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 105 – 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. 106 – A communication was received from the Director of Community Services requesting to reimburse for professional liability insurance. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 107 – A communication was received from the Director of Community Services requesting authorization for payment in pass-through opioid funds to the Village of Herkimer. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 108 – A communication was received from the Director of Community Services requesting renewal of contract with Azalea Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 109 – A communication was received from the Director of the Office for the Aging requesting renewal of NY Connects Expansion & Enhancement. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 110 – A communication was received from the Commissioner of Social Services requesting agreement with ICAN for Nurturing Parenting Programming. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 111 – A communication was received from the Commissioner of Social Services requesting renewal of contract with the Neighborhood Center Inc. for master level clinician. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 112 – A communication was received from the Sewer District submitting resolution for board member appointment. Referred to the Committee on Natural Resources.

No. 113 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for receipt of funding in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 114 – A communication was received from the Budget Officer/Purchasing Agent requesting additional funding for Mid-York Library for the current fiscal year. Referred to the Committee on Ways & Means.

No. 115 – A communication was received from the Highway Superintendent requesting approval of 2026-2027 capital construction projects. Referred to the Committee on Highways.

No. 116 – A communication was received from the Budget Officer/Purchasing Agent requesting change orders in connection with HCCC projects. Referred to the Committee on Education and the Committee on Ways & Means.

No. 117 – A communication was received from the Budget Officer/Purchasing Agent requesting additional training hours and appropriation of funds. Referred to the Committee on Ways & Means.

No. 118 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Childhood Lead Poisoning Prevention Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 119 – A communication was received from the Director of Public Health requesting to renew contract for Early Intervention Administration Program Grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 120 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of project and budget amendment for Public Health Preparedness (Bioterrorism) Grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 121 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and budget amendment for NYS Overdose Intervention Initiative in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 122 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. I. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 123 – A communication was received from the Director of Public Health requesting amendment to Resolution No. 290 of 2025. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 124 – A communication was received from the Director of Public Health requesting contract with Venesky & Company. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 125 – A communication was received from the Director of Public Health requesting renewal of contract with McGuinness. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 126 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. III in Probation. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 127 – A communication was received from the County Treasurer requesting agreement for assistance with Annual Report. Referred to the Committee on Ways & Means.

No. 128 – A communication was received from the President of HCCC submitting Resolution to authorize the execution of Consent and Agreement among HCCC, National Cooperative Bank, N.A., and Herkimer Solar, LLC. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 129 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers in 2025 Budget. Referred to the Committee on Ways & Means.

No. 130 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting and submitting minutes and resolutions. Filed.

No. 131 – A communication was received from the County Attorney requesting Chairman to approve and sign the settlement with Tractor Supply Company. Referred to the Committee on Ways & Means.

No. 132 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds and budget amendment in connection with digitization of records. Referred to the Committee on Information Services and the Committee on Ways & Means.

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

On motion of Mr. Brewer, seconded by Mr. Donley, Resolution No. 62 – Resolution No. 73 were handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).

Consent Agenda:

- 62 ADMIN./VETS.: Adopting Annual Report of County Clerk
- 63 WAYS & MEANS: Adopting Annual Report of Purchasing Agent
- 64 HIGHWAYS: Adopting Annual Report of County Superintendent of Highways
- 65 NAT. RESOURCES: Adopting Annual Report of Director of Weights and Measures
- 66 INFO. SVCS.: Adopting Annual Report of the Information Services and Central Printing Departments
- 67 NAT. RESOURCES: Adopting Annual Report of County Sewer District
- 68 HUMAN RES.: Adopting Annual Report of Public Health Nursing Service
- 69 WAYS & MEANS: Approving Annual Report of the Real Property Tax Service Agency
- 70 CO. PLNG. & DEV.: Setting Public Hearing in connection with Community Development Block Grant funding for the Microenterprise Project
- 71 CO. PLNG. & DEV.: Appointment to the Mohawk Valley Regional Water Board
- 72 NAT. RESOURCES: Designating member to Herkimer County Sewer Board
- 73 WAYS & MEANS: Adopting Herkimer County Gender-Based Violence and the Workplace Policy



HERKIMER COUNTY LEGISLATURE

No. 62

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY CLERK

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of Jennifer M. DeMetro, County Clerk, pertaining to monies received by her office for the period ending December 31, 2025, respectfully reports and offers the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Clerk be adopted and placed on file with the Herkimer County Legislature for the year 2025.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 63

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PURCHASING AGENT FOR THE YEAR 2025

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from the Budget Officer and Purchasing Agent submitting the report of the Purchasing Department for the months of January through December 2025, respectfully reports that we have examined said report, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Report of the Purchasing Agent for the year 2025 be adopted and filed with the Herkimer County Legislature.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 64

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 2025 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 Annual Report of the County Superintendent of Highways be adopted and placed on file with the Herkimer County Legislature for the year 2025.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 65

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 2025, 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 placed on file with the Herkimer County Legislature for the year 2025.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 66

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 2025, and the Annual Report for the Central Printing Department for the year 2025, 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 2025 be approved and placed on file with the Herkimer County Legislature.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 67

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY SEWER DISTRICT

Sponsored by: Committee on Natural Resources

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report for 2025 of the County Sewer District, 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 County Sewer District be adopted and placed on file with the Herkimer County Legislature for the year 2025.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 68

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 2025 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 2025.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 69

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of the Real Property Tax Service Agency submitting the 2025 Annual Report of the Herkimer County Real Property Tax Service Agency, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Real Property Tax Service Agency hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2025.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 70

REPORT AND RESOLUTION SETTING A PUBLIC HEARING IN CONNECTION WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE HERKIMER COUNTY MICROENTERPRISE PROJECT

Sponsored by: Committee on County Planning & Development

WHEREAS, it is necessary that a second (performance) public hearing be held to hear public comment and to report project accomplishments relating to Economic Development Assistance from the Office of Community Renewal (OCR) for the \$300,000.00 award for the Herkimer County Microenterprise project; now, therefore, be it

RESOLVED, that a Public Hearing be held by the Committee on County Planning and Development on April 1, 2026 at 1:15 p.m. in the Legislature Chambers, 109 Mary Street, Herkimer, NY, for the purpose of hearing public comment upon the aforesaid project; and, be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Executive Director of the Herkimer County Industrial Development Agency.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 71

RESOLUTION MAKING APPOINTMENT TO THE MOHAWK VALLEY REGIONAL WATER BOARD

Sponsored by: Committee on County Planning & Development

WHEREAS, the New York State Legislature created an Upper Mohawk Valley Regional Water Authority; and

WHEREAS, the legislation creating said Authority provides that one of the members of the governing board of the Water Board shall be appointed by the County Executive of the County of Oneida, which member shall be a resident of the service area outside of the City of Utica and which member shall be subject to confirmation by the Herkimer County Legislature; and

WHEREAS, Anthony J. Picente, Jr., Oneida County Executive, has notified this Legislature that he has appointed Anthony J. Lucenti of Utica, New York, to said Upper Mohawk Valley Regional Water Board, subject to confirmation by the Herkimer County Legislature; now, therefore, be it

RESOLVED, that this Legislature confirms appointment of said Anthony J. Lucenti of Utica, New York, as a member of the Upper Mohawk Valley Regional Water Board, to fill an unexpired term through December 31, 2027; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Anthony J. Picente, Jr., Oneida County Executive and Anthony J. Lucenti.

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 72

REPORT AND RESOLUTION DESIGNATING MEMBER TO HERKIMER COUNTY SEWER BOARD

Sponsored by: Committee on Natural Resources

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 100 for the year 1993 determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board and appointed the chief executive officer or their designees of

the Villages of Ilion, Frankfort and Mohawk and the Towns of Frankfort and German Flatts as members of said Board; and

WHEREAS, by letter dated February 5, 2026 from the Herkimer County Sewer District, your Committee has been advised that the Village of Frankfort has submitted a letter for reappointment of Justin Smithson as designee of the Village of Frankfort for a five year term; now, therefore, be it

RESOLVED, that Justin Smithson of Frankfort, New York, is hereby re-appointed to the Herkimer County Sewer District Board for a five year term to expire on 2/28/2031; and, be it further

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

Dated: March 18, 2026.



HERKIMER COUNTY LEGISLATURE

No. 73

REPORT AND RESOLUTION ADOPTING HERKIMER COUNTY GENDER-BASED VIOLENCE AND THE WORKPLACE POLICY

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated February 17, 2026 from Steven R. Billings, Personnel Officer, this Legislature is advised that under NYS State Finance Law Section 139-m, in conjunction with NYS Executive Law Section 575 (11), entities that are required to do competitive bidding must have a written policy addressing gender-based violence and the workplace; now, therefore, be it

RESOLVED, that the attached Herkimer County Gender-Based Violence and the Workplace Policy is hereby adopted in response to this state legislation; and, be it further

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

Dated: March 18, 2026.

Gender-Based Violence and the Workplace Policy for NYS Bidders

Purpose

Gender-based violence occurs within a broad spectrum of relationships; therefore, Herkimer County will take appropriate measures to prevent and/or address gender-based violence as it impacts the workplace. Herkimer County recognizes the rights of victims to have self-determination and the need to respond in a survivor-centered, trauma-informed, and culturally responsive manner. This policy shall apply to all victims of gender-based violence, regardless of where the incidents took place.

The importance of a responsive gender-based violence workplace policy cannot be overstated. Studies show stable employment increases survivor safety. It can offer survivors a "level of independence that lessens an abuser's ability to control them as well as increase their ability to escape violence."¹ The Centers for Disease Control and Prevention estimates intimate partner violence, a form of gender-based violence, has a lifetime cost of \$1.3 trillion in lost productivity for both offenders and victims.²

Herkimer County, to the fullest extent possible, without violating any existing rules, regulations, statutory requirements³, contractual obligations, or collective bargaining agreements, designates and directs appropriate management, supervisory, and/or human resources staff to implement the following Gender-Based Violence and the Workplace Policy covering the following areas:

- I. Definitions;
- II. Persons Covered by the Policy;
- III. Statement of Confidentiality;
- IV. Survivor Rights;
- V. Employer Responsibilities;
- VI. Non-Discrimination and Responsive Personnel Policies;
- VII. Non-Retaliation Policy;
- VIII. Workplace Safety Plans;
- IX. Accountability for Employees who Perpetrate Acts of Gender-Based Violence;
- X. Training;
- XI. Firearms (for applicable organizations);
- XII. Violations of Policy.

¹ Sanders, C. K. (2015). Economic Abuse in the Lives of Women Abused by an Intimate Partner: A Qualitative Study. *Violence Against Women*, 21(1), 3-29. <https://doi.org/10.1177/1077801214564167> (Original work published 2015)

² Peterson, Cora, et al (2018). Lifetime Economic Burden of Intimate Partner Violence Among U.S. Adults. *American Journal of Preventive Medicine*, 55(4), 433-444. doi:10.1016/j.amepre.2018.04.049.

³ When gender-based violence constitutes sexual harassment, New York State Labor Law § 201-g and New York State Human Rights Law § 296 supersedes this policy. For more information on sexual harassment and New York State requirements, please visit the [New York State Combatting Sexual Harassment in the Workplace website](#)

I. Definitions

Unless otherwise noted, the Office for the Prevention of Domestic Violence (OPDV) defines the terms below for the purposes of this policy:

- a. **Gender-Based Violence:** Violence or threats that happen because of someone's sex, gender, sexual orientation, gender identity or expression, or other related characteristics. Gender-based violence is an umbrella term that includes domestic violence, sex-based discrimination, sexual harassment, sexual assault, and sexual violence, and can also include stalking or human trafficking.
- b. **Domestic Violence:** A pattern of coercive behavior, including acts or threatened acts, used by a perpetrator to gain power and control over a victim, as defined in New York State Social Service Law § 459-a, including, but not limited to physical, sexual, psychological, economic, and/or emotional abuse; or the threat of any of the acts as mentioned earlier. Domestic violence includes but is not limited to family violence, intimate partner violence, dating violence, or dating abuse.
- c. **Sexual Violence:** Sexual acts or activities that happen or are attempted without consent, including rape, molestation, groping, harassment, and sexual abuse. These acts may or may not be crimes.
- d. **Stalking:** An unwanted pattern of repeated harassing or threatening behavior, causing fear, substantial emotional distress, or safety concerns for the victim.
- e. **Coercive Control:** An act or pattern of acts, threats, humiliation, and intimidation that is used to harm, punish, or frighten.
- f. **Sexual Harassment:** Sexual Harassment is a type of gender-based violence. New York State law provides special protections against sexual harassment in the workplace. Under New York State Human Rights Law § 296 and Labor Law § 201-g, sexual harassment is defined as unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex, and:
 - i. unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment; or
 - ii. made, explicitly or implicitly, a term or condition of employment; or
 - iii. when submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

Herkimer County has a separate sexual harassment policy. Anyone who experiences sexual harassment in the workplace is directed to consult the sexual harassment policy for detailed information about reporting and the filing of a formal complaint.

- g. **Survivor-Centered:** An approach to supporting and assisting survivors focused on meeting their needs as they prioritize and define them. Key elements of a survivor-centered approach include confidentiality, safety, respect, and non-discrimination.
- h. **Trauma-Informed:** An approach to supporting and assisting survivors that realizes trauma is common, recognizes the signs, activators, and symptoms of trauma, and uses this knowledge to inform practices, policies, and procedures.
- i. **Culturally Responsive:** A holistic approach to supporting and assisting survivors that recognizes a person's complex identities and cultural values, by responding to differences in identities to actively meet the needs of all survivors and communities.
- j. **Victim of Domestic Violence – pursuant to NYS Social Services Law § 459-a (1):** Any person over the age of sixteen, any married person, or any parent accompanied by his or her⁴ minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the penal law, including, but not limited to, acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation, identity theft, grand larceny, or coercion; and
 - i. Such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and
 - ii. Such act or acts are or are alleged to have been committed by a family or household member.
- k. **"Family or household members" means the following individuals pursuant to NYS Social Services Law § 459-a (2):**
 - i. persons related by consanguinity or affinity (blood or a person's relation to blood relatives of their spouse);
 - ii. persons legally married to one another;
 - iii. persons formerly married to one another, regardless of whether they still reside in the same household;
 - iv. persons who have a child in common, regardless of whether such persons are married or have married or have lived together at any time;

⁴ New York State recognizes and affirms the diversity of New Yorkers. LGBTQIA+ people are covered under this definition provided they meet the criteria set forth.

- v. unrelated persons who are continually or at regular intervals living in the same household or who in the past continually or at regular intervals lived in the same household;
 - vi. persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; or
 - vii. any other category of individuals deemed to be a victim of domestic violence as defined by the Office of Children and Family Services in regulation.
- l. **"Parent" pursuant to NYS Social Services Law § 459-a (2):** means a natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.
 - m. **Victim or Survivor:** A person who has experienced or is experiencing any form of gender-based violence. People of all genders, sexual orientations, and gender identities may experience gender-based violence, but women and girls are impacted the most. Some people will have a strong preference for which term to use.
 - n. **Perpetrator or Abusive Partner or Person who Causes Harm:** A person who commits or threatens to commit coercive or violent acts, which may include, but is not limited to, physical, psychological, sexual, economic, and/or emotional abuse against a victim.
 - o. **Order of Protection (OP) ("Restraining Order" or "Stay-Away Order"):** An order issued by any court to limit the behavior of someone who harms or threatens to harm another person. Orders of Protection may direct the offending party not to injure, threaten, or harass the victim, their family, or any other person(s) identified and may include, but are not limited to ordering the person causing harm to stay away from the home, school, business, or place of employment of the victim; vacate a shared residence; abide by any active orders of custody and visitation; and surrender any firearms.
 - p. **Workplace:** For the purposes of this policy, any permanent or temporary location away from an employee's domicile where an employee performs any work-related duty in the course of employment.
 - q. **Human Resources:** The department of a business or organization responsible for workforce management. If no such department exists, the responsibilities of Human Resources fall on the employer.

- r. **Gender-Based Violence Liaison (GBVL):** Where possible, a designated employee(s) of the business or organization who assists victimized employees with referrals to local service providers. The GBVL may or may not be a Human Resources employee.
- s. **Local Service Providers:** An organization in a given geographical area whose mission is to provide services to victims of gender-based violence. In New York State, each county has a designated service provider(s) for domestic violence and sexual violence. Services can include emergency shelter, advocacy, accompaniment to hospitals and court, safety planning, counseling, etc. Visit opd.ny.gov for a list of New York State-based domestic and sexual violence service providers.

II. Persons covered by this policy

This policy shall extend to all full, part-time, temporary employees, volunteers, and interns working for Herkimer County in any official work capacity.

III. Statement of Confidentiality

Herkimer County recognizes and respects the employee's right to privacy and confidentiality. All information, including details an employee shares about being a victim, shall be kept confidential to the extent permitted by law without the employee's written permission, unless doing so creates a substantial risk of imminent danger to the victimized employee, other employees, or the worksite. If such a situation arises, Herkimer County will:

- a. Inform the victimized employee of the actions Herkimer County will take.
- b. Share information only with the specific employees who need to know.
- c. Limit the information shared to only what is necessary.
- d. Consider requiring employees who receive this sensitive information to sign a confidentiality agreement, committing to use it only for its intended safety purpose.

IV. Survivor Rights

Victims of domestic violence are a protected class under New York State Human Rights Law §296, which applies to settings like employment, housing, education, and public accommodations. Every employer in the State of New York is required to follow the New York State Human Rights Law. This means it is unlawful to discriminate against an employee based on their status as a victim of domestic violence.

- a. Employees have the right to:
 - i. Disclose or not disclose experiences or details of gender-based violence.
 - ii. Ask for reasonable accommodations to address concerns related to gender-based violence.
 - iii. Be free of discrimination and retaliation in seeking such accommodation.
 - iv. Access gender-based violence services.
- b. Employers may require an employee to provide documentation, such as an attestation, to substantiate their need for an accommodation or to use sick, personal or vacation leave.

V. Employer Responsibilities

- a. Herkimer County shall implement the Gender-Based Violence and the Workplace policy and where possible, designate the Human Resources department or appropriate staff personnel to perform duties associated with implementing the policy. Where possible, Herkimer County will designate at least one employee as its Gender-Based Violence Liaison (GBVL).
 - i. The GBVL is a designated employee who assists victimized employees with referrals to local service providers. The GBVL may or may not be a Human Resources employee.
 - ii. Herkimer County designates Steven Billings, Personnel Officer, as GBVL.
- b. Increase awareness around gender-based violence and create an informed workforce by posting information in such places where employees can utilize the information. The information should include:
 - i. Employee Assistance Program (EAP) information, if applicable,
 - ii. Human resources staff,
 - iii. NYS Domestic and Sexual Violence Hotline Number (1-800- 942-6906), Chat and Text Line (1-844-997-2121), and
 - iv. Contact information for local gender-based violence programs.
- c. Ensure victimized employees know and understand this policy and their rights, including all possible options available to them, and are aware of accommodations outlined in section VI of this policy.
- d. Offer support to those victimized through the following minimum steps:
 - i. Provide information on available sources of services and assistance for victims and survivors, such as the New York State Domestic and Sexual Violence Hotline or local victim services provider.
 - ii. Educate employees on disciplinary practices that may be implemented in the event of retaliation for reporting or used with employees who commit acts of gender-based violence. Assist supervisors to ensure that all employees who knowingly violate this policy are held accountable.
 - iii. Include this policy as part of the written materials provided to all new employees and provide the policy to all employees on an annual basis.
 - iv. Refer anyone who discloses they are a victim to the EAP, if applicable, the NYS Domestic and Sexual Violence Hotline (or the statewide hotline for workplace sexual harassment, if appropriate), and any local programs serving victims of domestic and sexual violence. Additional referrals may be made to the appropriate resources to meet the employee's needs best.

- e. **Human Resources (and/or GBVLs)**
Herkimer County Human Resources staff must create a safe and supportive workplace culture for anyone who has experienced gender-based violence. They can do this by communicating that information and resources are available to victims and that abusive behavior by any employee will not be tolerated.
- f. **Supervisors**
Herkimer County Supervisors shall ensure that any employee who discloses being a victim of gender-based violence is aware of and understands this policy and their rights. Additionally, supervisors shall refer employees to the Human Resources department and/or GBVL to receive referrals and resources as outlined above.

VI. Non-Discrimination and Responsive Personnel Policies

All Herkimer County policies and procedures must not discriminate and should be trauma-informed, survivor-centered, and culturally responsive to victims' needs. Under the New York State Human Rights Law, all persons are protected from discrimination in the workplace on the basis of their status as a victim of domestic violence, and on the basis of sex, sexual orientation, gender identity, and gender expression. If such discrimination occurs, the employee can report it to the New York State Division of Human Rights for potential investigation and remediation. Responsive personnel policies can increase the stability of gender-based violence survivors and help them navigate safety.

- a. **Victims of domestic violence are a protected class under New York State Human Rights Law (Executive Law § 296(22)) and as such;**
 - i. Employers may not refuse to hire and may not terminate someone solely based on their status as a victim of domestic violence.
 - ii. Employers may not discriminate against victims of domestic violence in compensation, terms, conditions, or privileges of employment.
 - iii. Employers may not inquire about an applicant or employee's status as a current or past victim of domestic violence in any way that directly or indirectly expresses discriminatory treatment based on that status.
 - iv. Employers may inquire about status as a victim of domestic violence to provide reasonable accommodations.
 - v. Employers may not refuse to provide certain reasonable accommodations to an employee who is known by the employer to be a victim of domestic violence and who needs such accommodation to seek medical care and/or obtain certain services connected to an incident or incidents of domestic violence.
 - vi. Employers are prohibited from retaliating against an employee for opposing unlawful discrimination and/or filing a formal complaint over alleged discriminatory conduct.
- b. **Use of Safe Leave:** Under New York State Labor Law, employers in New York must allow any employee who has disclosed their status as a victim of gender-based violence (or disclosed that a family member is a victim of gender-based violence) and must be out of work for a reasonable time to use accrued sick leave, known as safe leave, for the purposes as outlined in Labor Law § 196-b(4).

- c. **Leave Options:** Employees can choose to use appropriate leave accruals to cover any absences, if available. If the employee does not have adequate leave accruals to cover the absence or chooses not to charge leave accruals, the absence shall be treated as leave without pay.
- d. **Continuation of Benefits:** Any employee who must be absent from work to utilize accommodations in this section is entitled to the continuation of any health insurance coverage provided by the employer to which the employee is otherwise entitled during any such absence, in accordance with any existing collective bargaining agreements, regulations, and organization policy.
- e. **Notice of Absence:** Employees who must be absent to utilize accommodations as listed in this section shall provide their employer with reasonable advanced notice of the absence when possible.
- f. **Time Off for Legal Proceedings:** Employers are also required to grant time off, with prior day notification, and may not penalize any employee who, as a victim or witness of a criminal offense, is appearing as a witness; consulting with a district attorney; or exercising their rights as provided by law.⁵
- g. **Privacy and Documentation:** There may be occurrences when an employee is absent due to incidents of gender-based violence where they are unable to follow organizational protocol to report the absence. In that situation, the employee may lack documentation, may be unable to obtain documentation, or may not want to share documentation containing confidential information. Under New York State Labor Law, an employer may not require the disclosure of confidential information relating to an absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of providing sick or safe leave.
- h. **Changes to Benefits:** Employees who are victims of gender-based violence who separate from a covered family member due to incidents of gender-based violence shall be allowed to make reasonable changes in benefits at any time during the calendar year, where possible and in accordance with statute, regulation, contract, and policy.
- i. **Work Performance Impact:** Herkimer County recognizes that victims of domestic and gender-based violence may experience temporary work performance difficulties or be unable to complete certain job aspects because of safety reasons.
 - i. If performance is affected as a result of being a victim of gender-based violence, Herkimer County will work with the employee on solutions which may include referrals to the GVBVL or HR, EAP, if applicable, and/or the local domestic violence service provider, and may consider leave options.

1. Employees should be made aware that not all employees' requests for assistance can be accommodated.
 - ii. OPDV is available for case-specific technical assistance as needed.
 - iii. Employees will be given clear information on performance expectations, priorities, and performance evaluations.
 - iv. If disciplinary action is considered, special care should be taken to consider all aspects of the victimized employee's situation, and all available options in trying to resolve the performance problems should be exhausted, including making a referral to HR, EAP, if applicable, domestic violence program, or other relevant services, consistent with existing collective bargaining unit agreements, statute, regulations, and organization policy.
- j. **Termination and Unemployment Eligibility:** If reasonable measures have been exhausted and the work performance issue remains and the employee is terminated or voluntarily separates from employment, the employee shall be informed of their potential eligibility for unemployment insurance, and Herkimer County shall respond promptly to any requests for information that may be needed in the claims process. New York State law provides that a victim of domestic violence who voluntarily separates from employment may, under certain circumstances, be eligible for unemployment insurance benefits.⁶
- k. **Protection Against Sexual Harassment:** Sex, sexual orientation, gender identity, gender expression, and status as a victim of domestic violence are all protected classes under the New York State Human Rights Law. Sexual harassment is a form of sex discrimination and is also prohibited under the New York State Human Rights Law § 296 and Title VII, the Federal Civil Rights Act of 1964. Sexual harassment includes harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Gender-based violence may constitute sexual harassment when it subjects an individual to inferior terms, conditions, or privileges of employment.
 - i. Every New York State employer must have a policy on sexual harassment prevention, including a procedure for the receipt and investigation of complaints of sexual harassment.
- l. **Reporting Discrimination or Harassment:** For all forms of discrimination and harassment, if an employee, including an intern or contractor, experiences sexual harassment or discrimination on the basis of their status as a victim of domestic or other gender-based violence, or observes discrimination in the workplace, the employee may file a complaint with the employer.
 - i. Any complaint of potential discrimination, whether verbal or written, must be investigated.

- ii. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to Steven Billings, Personnel Officer.
- iii. Herkimer County shall maintain the confidentiality of the complainant to the extent practical.
- iv. Any employee in NYS may file a complaint with the New York State Division of Human Rights.

VII. Non-Retaliation Policy

Herkimer County shall not engage in any retaliatory practices against employees who disclose they are a victim of gender-based violence, or any employee seeking accommodations or to exercise their rights under this policy.

Herkimer County will not retaliate, tolerate retaliation by any superiors, terminate, or discipline any employees for reporting information about alleged incidents of gender-based violence that may have been committed by an employee, including those in management positions.

Retaliatory practices may include, but are not limited to:

- a. Commencing discipline against victimized employees for actions taken to promote their safety
- b. Fewer promotions
- c. Inappropriate jokes
- d. Comments that communicate bias or minimization
- e. Excluding the employee from conversations, etc.
- f. Discussing employee's status or experience in open/non-private settings with individuals other than the employee and the related staff (GBVL, HR, etc).

Retaliation may be carried out by anyone, not just the original perpetrator.

Any employee or organization engaging in retaliatory practices may be subject to disciplinary actions. If you believe you have been subject to retaliatory practices, please see Section XIV: Violations of Policy.

Retaliation against any employee who files a complaint of violation of the policy is also prohibited.

VIII. Workplace Safety Plans

Gender-based violence can lead to safety concerns at the workplace. Safety plans are simple but critical steps an employee can take to increase their safety and the safety of coworkers. While not all employee-survivors will need help with safety planning, employers should be prepared to provide referrals to the local service provider.

Employers shall have workplace safety response plans in place, including procedures for reporting to supervisors or contacting law enforcement, if necessary, should an event take place in the workplace.

- a. **Orders of Protection:** Herkimer County shall comply and assist with the enforcement of all known Orders of Protection (OP).
 - i. If requested by the victim or by law enforcement, Herkimer County will provide any relevant information regarding an alleged OP violation.
- b. If the circumstances indicate a need for Herkimer County to take steps to increase the safety for the victim, other employees, and the workplace, the organization should follow their internal protocols.

IX. Accountability for Employees who Perpetrate Acts of Gender-Based Violence

Herkimer County will hold accountable and shall subject to corrective or disciplinary action any employee who violates this policy, in accordance with existing collective bargaining agreements, applicable statutes, and regulations. The following behaviors are prohibited under the policy:

- a. Using the authority of their employment and/or misusing any workplace resources in order to:
 - i. negatively impact any victim of gender-based violence;
 - ii. assist a perpetrator in locating a victim;
 - iii. assist a perpetrator in perpetrating any act of gender-based violence; or
 - iv. protect a perpetrator from receiving appropriate consequences.
- b. Committing acts of gender-based violence from or at the workplace, or from any location conducting official business, except for locations where employees are telecommuting.

X. Training:

Gender-based violence can be complex. To effectively respond to employee-survivors' needs in a survivor-centered, trauma-informed, and culturally responsive manner, bidders are encouraged to attend trainings offered by OPDV or local service providers, but are not required to do so. Supervisors, Human Resources, and organizational leadership are encouraged to attend OPDV's available trainings and utilize resources on OPDV's website: opdv.ny.gov.

XI. Firearms:

Pursuant to New York State and Federal law, any person convicted of a domestic violence-related crime, or who is subject to any Order of Protection, forfeits the right to legally possess a firearm or long gun under certain circumstances. Additionally, federal law contains prohibitions relating to shipping, transportation, or receiving firearms or ammunition.

In addition to complying with State and Federal law, employees who are authorized to carry a firearm as part of their job-related duties are required to notify the organization if they are arrested for a domestic violence-related offense and/or are served with an Order of Protection. Under certain circumstances, such employees are responsible for surrendering their firearms to the issuing organization or to the appropriate police organization.

Should an employee fail to comply with the above-listed requirements of this policy, they would be subject to corrective or disciplinary action, under existing collective bargaining unit agreements, statute, or regulations. In addition, law enforcement may be notified of possible criminal action.

XII. Violations of Policy

Employers must investigate complaints of policy violations. Employers should outline in their policy any applicable steps for filing a grievance or complaint. Section VIII of the policy prohibits retaliation for filing a complaint.

Employees may also report alleged violations of the New York State Human Rights Law to the New York State Division of Human Rights (DHR). DHR is the state agency responsible for enforcing the New York State Human Rights Law. DHR reviews every report of discrimination filed with the agency. In every case where the alleged discrimination falls within the agency's jurisdiction, DHR will investigate and seek to hold violators of the law accountable. The discrimination reporting form and all related information can be found on [DHR's website](#).

The Chairman continued with the Regular Agenda.

On motion of Mr. Gaworecki, seconded by Mr. Swartz, Report and Resolution No. 74 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means to create temporary position in Youth Bureau was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Wedemeyer, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 74

REPORT AND RESOLUTION TO CREATE TEMPORARY POSITION IN YOUTH BUREAU

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

WHEREAS, by letter dated February 20, 2026 from Rachael Case, Director of the Youth Bureau, she has requested to create a temporary position; and

WHEREAS, by letter dated February 23, 2026 from Steven R. Billings, Personnel Officer, he has requested to create a temporary part-time position of Clerk in the Herkimer County Youth Bureau through August 28, 2026, at an hourly rate of \$17.00; and

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

RESOLVED, that a temporary part-time position of Clerk is created in the Youth Bureau through August 28, 2026, at an hourly rate of \$17.00; 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 Youth Bureau.

Dated: March 18, 2026.

On motion of Mr. Bick, seconded by Mr. Gaworecki, Report and Resolution No. 75 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; discussion was held; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 75

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 February 20, 2026, 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, 2027; 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, 2026 through April 4, 2027, 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, 2026 through April 4, 2027, with all other terms of the agreement to remain in full force and effect, and with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: March 18, 2026.

On motion of Mr. Lucenti, seconded by Mrs. Wares, Report and Resolution No. 76 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing reimbursement for professional liability insurance to Mental Health Consultant was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 76

REPORT AND RESOLUTION AUTHORIZING REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE TO MENTAL HEALTH CONSULTANT

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

WHEREAS, Dr. Vinay Patil is a psychiatrist under contract to provide services to Herkimer County Mental Health Services; and

WHEREAS, by letter dated February 20, 2026, Kristen Snyder-Branner, Director of Community Services, has requested that Dr. Patil be reimbursed for a sum not to exceed \$1,500 annually for professional liability insurance in connection with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and

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

RESOLVED, that Dr. Vinay Patil be, and he hereby is, authorized to receive reimbursement, upon receipt of proper documentation for a sum not to exceed \$1,500 annually for professional liability insurance associated with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; 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: March 18, 2026.

On motion of Mr. Schrader, seconded by Mr. Malta, Report and Resolution No. 77 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing payment in the Mental Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 77

REPORT AND RESOLUTION AUTHORIZING PAYMENT IN THE MENTAL HEALTH DEPARTMENT

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

WHEREAS, the Mental Health Department receives funds from the Opioid Settlements for Mental Health; and

WHEREAS, by letter dated February 20, 2026 from Kristen Snyder-Branner, Director of Community Services, she has requested authorization to pay \$5,183 in opioid pass-through funds to the Village of Herkimer, 120 Green Street, Herkimer, NY; now, therefore, be it

RESOLVED, that authorization is given to pay \$5,183 in opioid pass-through funds to the Village of Herkimer, 120 Green Street, Herkimer, NY; 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: March 18, 2026.

On motion of Mr. Donley, seconded by Mr. Keeler, Report and Resolution No. 78 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract for billing service for Herkimer County Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 78

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR BILLING SERVICE FOR HERKIMER COUNTY MENTAL HEALTH

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

WHEREAS, by letter dated February 25, 2026 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to enter into a contract with Azalea Health, 6 Concourse Parkway 2250, Atlanta, GA, 30328, for medical billing services to insurance companies; and

WHEREAS, the contract would include compensation of \$9.50 per encounter of service billed for Medicaid or Medicaid Managed Care and 7.5% of collections received for all other payers, and Azalea Health RCM revenue service recovery will be applicable for service dates prior to and after the date of the agreement, with a term of December 2, 2025 through November 30, 2026; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute a contract with Azalea Health, 6 Concourse Parkway 2250, Atlanta, GA, 30328, for medical billing services to insurance companies for Herkimer County Mental Health Services at a cost of \$9.50 per encounter of service billed for Medicaid or Medicaid Managed Care and 7.5% of collections received for all other payers, and Azalea Health RCM revenue service recovery will be applicable for service dates prior to and after the date of the agreement; and, be it further

RESOLVED, that said agreement shall be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: March 18, 2026.

On motion of Mr. Wedemeyer, seconded by Mrs. Wares, Report and Resolution No. 79 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 (formerly known as the Balancing Incentive Program – BIP) was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 79

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 February 4, 2026 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 \$15,000 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, 2026 through March 31, 2027 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, 2026 through March 31, 2027, 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 \$15,000; and, be it further

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

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

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

Dated: March 18, 2026.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 80 sponsored by the Committee on Human Resources and the Committee on Ways & Means

authorizing contract with ICAN in the Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 80

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH ICAN IN THE DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated February 25, 2026 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of a request to renew a contract with Integrated Community Alternative Network (ICAN), 310 Main Street, Utica, NY 13501, for the provision of evidence based Nurturing Parenting Programming for individuals in various stages of child welfare services; and

WHEREAS, letter further states the period of this contract would be from January 1, 2026 through December 31, 2026, at an annual cost not to exceed \$27,250; now, therefore, be it

RESOLVED, that this Legislature approves the above requests for the Department of Social Services, and authorizes the Chairman to sign the agreement with ICAN for the provision of evidence based Nurturing Parenting Programming for individuals in various stages of child welfare services for the period of January 1, 2026 through December 31, 2026, at an annual cost not to exceed \$27,250, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is 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, Commissioner of Social Services, and ICAN.

Dated: March 18, 2026.

On motion of Mr. Malta, seconded by Mr. Weakley, Report and Resolution No. 81 sponsored by the Committee on Human Resources and the Committee on Ways & Means renewing contract with the Neighborhood Center in the Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 81

REPORT AND RESOLUTION RENEWING CONTRACT WITH THE NEIGHBORHOOD CENTER IN THE DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated February 25, 2026, from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to renew a contract with The Neighborhood Center, 624 Elizabeth Street, Utica, NY 13501, to continue the provision of a licensed or master-level clinician to work within the Adult Protective and Emergency Eligibility Department within the Department of Social Services; and

WHEREAS, said letter further advises the contract will be for the period of January 1, 2026 through December 31, 2026, in an amount not to exceed \$108,025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with The Neighborhood Center, to continue the position of a licensed or master-level clinician to work within the Adult Protective and Emergency Eligibility department within the Department of Social Services for the period of January 1, 2026 through December 31, 2026, in an amount not to exceed \$108,025; 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 The Neighborhood Center.

Dated: March 18, 2026.

On motion of Mr. Brewer, seconded by Mr. Donley, Report and Resolution No. 82 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Salary Schedule No. III in the Probation Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Wedemeyer, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 82

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

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

WHEREAS, by letter dated February 9, 2026 from Michael D. Scalise, Director of Probation, this Legislature is advised of a request to amend Salary Schedule No. III; and

WHEREAS, by letter dated March 6, 2026 from Steven Billings, Personnel Officer, has requested to amend Salary Schedule No. III to delete one position of Probation Officer in Account A3140, and establish one position of Senior Probation Officer at an annual base salary of \$56,594; and

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

RESOLVED, that Salary Schedule III is hereby amended in Account A3140 to delete one position of Probation Officer, and establish one position of Senior Probation Officer at an annual base pay rate of \$56,594; 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 Probation.

Dated: March 18, 2026.

On motion of Mr. Donley, seconded by Mr. Weakley, Report and Resolution No. 83 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant funding, authorizing e-signature, creating project, and amending 2026 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 83

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT, AND AMENDING 2026 BUDGET

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

WHEREAS, by letter dated February 13, 2026, Albert J. Moxham, Jr., Director of Emergency Services has advised of the receipt of a grant provided through the Department of Homeland Security and Emergency Services (DHSES) for the Emergency Services IP Network

(ESInet) Readiness Grant Program in the amount of \$689,655.00, for the period of January 1, 2026 to December 31, 2030; and

WHEREAS, by letter dated February 23, 2026 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2026 Budget and create a new project; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted, project “ESI” be created, and that the 2026 Budget be amended as follows:

H3020000, 430970, 911 Capital Grants, State Aid	\$689,655
H3020000 525000, 911 Capital Grants, Other Equip.	\$289,655
H3020000 544000, 911 Capital Grants, Con’t Services	\$400,000

and, be it further

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

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

Dated: March 18, 2026.

On motion of Mr. Bick, seconded by Mr. Keeler, Report and Resolution No. 84 sponsored by the Committee on Ways & Means authorizing payment to Mid-York Library System was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 84

REPORT AND RESOLUTION AUTHORIZING PAYMENT TO MID-YORK LIBRARY SYSTEM

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 376 should have appropriated funding for the Mid-York Library System at the 2025 funding level of \$66,424, that amount allowed for \$48,784 for the individual libraries and \$16,178 for Mid-York; and

WHEREAS, by letter dated February 23, 2026 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that in error, the requested 2026 funding

amounts for the individual libraries of \$50,246 were reported in the resolution instead of the 2025 amounts that were approved by the Legislature; and

WHEREAS, such reporting has caused a deficit to Mid-York in the amount of \$1,462 to complete the payment of \$17,640 as “requested” for 2026, and requests authorization to pay the additional \$1,462 to Mid-York to correct the error for this fiscal year only; now, therefore, be it

RESOLVED, that the County is hereby authorized to issue a payment totaling \$17,640 to Mid-York Library System for the purpose of correcting the outstanding deficit; and, be it further

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

Dated: March 18, 2026.

Chairman Campione dispensed with the regular session to welcome the students in attendance and asked them to introduce themselves and the school districts they represent and asked the County Attorney to give a brief description of the difference between a voice vote and a roll call vote.

On motion of Mr. Donley, seconded by Mr. Schrader, Report and Resolution No. 85 sponsored by the Committee on Ways & Means authorizing transfers of funds in 2025 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 85

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2025 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/Purchasing Agent, dated March 5, 2026, submitting requests for transfers of funds in the 2025 Budget, reports that we have examined said communication, inquired into the subject matters thereof, and recommend that said transfers and budget amendments 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 in the 2025 Budget:

\$23,824	From: A1010000 510000, Legislature, Salaries
	To: A1010000 586000, Legislature, Health Insurance
\$8,786	From: A1040000 510000, Clerk of the Legislature, Salaries
	To; A1040000 586000, Clerk of the Legislature, Health Insurance
\$34,057	From: A1165000 510000, District Attorney, Salaries

\$12,348	To: A1165000 586000, District Attorney, Health Insurance From: A1340000 510000, Budget & Purchasing, Salaries
\$24,405	To: A1320000 586000, Auditor, Health Insurance From: A1410000 510000, County Clerk, Salaries
\$2,287	To: A1325000 586000, Treasurer, Health Insurance From: A1330000 546000, Property Tax, Miscellaneous
\$6,701	To: A1330000 586000, Property Tax, Health Insurance From: A1330000 546620, Property Tax, Advertising
\$6,999	To: A1330000 586000, Property Tax, Health Insurance From: A1340000 510000, Budget & Purchasing, Salaries
\$15,534	To: A1340000 586000, Budget & Purchasing, Health Insurance From: A1670000 544000, Central Services, Contracted Services
\$11,669	To: A1355000 586000, Real Property, Health Insurance From: A1410000 510000, County Clerk, Salaries
\$15,984	To: A1410000 586000, County Clerk, Health Insurance From: A3140000 510002, Probation, Overtime
\$13,477	To: A1430000 586000, Personnel, Health Insurance From: A3140000 510002, Probation, Overtime
\$6,092	To: A1450000 586000, Board of Elections, Salaries From: A1670000 544000, Central Services, Contracted Services
\$3,995	To: A1620000 586000, Buildings, Health Insurance From: A1680000 510000, Information Services, Salaries
\$2,000	To: A1680000 586000, Information Services, Health Insurance From: A2960000 544000, Ed of Hand Children, Contracted Services
\$380	To: A2960000 510000, Ed of Hand Children, Salaries From: A2960000 544000, Ed of Hand Children, Contracted Services
\$85,004	To: A2960000 586000, Ed of Hand Children, Health Insurance From: A6010000 510000, DSS, Salaries
	To: A3021000 586000, Public Safety, Health Insurance
\$31,338	From: A6010000 510000, DSS, Salaries To: A3110000 586000, Sheriff, Health Insurance
\$131,166	From: A6010000 510000, DSS, Salaries To: A3150000 586000, Jail, Health Insurance
\$21,498	From: A3140000 544000, Probation, Contracted Services To: A3112000 586000, SRO, Health Insurance
\$120,000	From: A6014000 510000, Child Support, Salaries To: A3150000 510000, Jail, Salaries
\$32,072	From: A6010000 510000, DSS, Salaries To: A3150000 510000, Jail, Salaries
\$6,900	From: A1185000 510000, Coroners, Salaries To: A1185000 545000, Coroners, Fees for Services
\$1,139	From: A1165000 510000, District Attorney, Salaries To: A1185000 545000, Coroners, Fees for Services
\$18,000	From: A4010000 541000, Public Health, Supplies To: A4010000 586000, Public Health, Health Insurance
\$17,000	From: A4010000 546000, Public Health, Miscellaneous To: A4010000 586000, Public Health, Health Insurance
\$64,134	From: A2960000 544000, Ed of Hand Children, Contracted Services To: A4010000 586000, Public Health, Health Insurance
\$9,117	From: A4059000 510000, Early Intervention, Salaries To: A4059000 586000, Early Intervention, Health Insurance
\$17,710	From: A4320000 510000, Mental Health, Salaries

	To: A4320000 586000, Mental Health, Health Insurance
\$204,228	From: A6010000 510000, DSS, Salaries
	To: A6010000 586000, DSS, Health Insurance
\$3,641	From: A6510000 510000, Veterans, Salaries
	To: A6510000 586000, Veterans, Health Insurance
\$2,298	From: A6610000 510000, Weights & Measures, Salaries
	To: A6610000 586000, Weights & Measures, Health Insurance
\$23,818	From: A7310000 544000, Youth Bureau, Contracted Services
	To: A7320000 581000, Summer Program, Retirement
\$20,993	From: A6774000 510100, Aging CI, Temporary
	To: A6772000 586000, Aging IIIB, Health Insurance
\$31,117	From: CD629000 510000, ETA Admin, Salaries
	To: CD629300 586000, Youth Training, Health Insurance
\$40,000	From: D5020000 581000, Engineering, Retirement
	To: D5010000 581000, County Road, Retirement
\$147,764	From: D5110000 581000, Road Maintenance, Retirement
	To: D5010000 581000, County Road, Retirement
\$10,302	From: G8130000 541000, Sewer, Supplies
	To: G8110000 581000, Sewer Admin, Retirement
\$3,248	From: G8130000 541000, Sewer, Supplies
	To: G8130000 581000, Sewer, Retirement

and, be it further

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

Dated: March 18, 2026.

On motion of Mr. Swartz, seconded by Mr. Weakley, Report and Resolution No. 86 sponsored by the Committee on Highways approving projects under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 86

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

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred the letter from Mark Nagele, County Superintendent of Highways, dated February 23, 2026, submitting three copies each of statement under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2026/2027, covering three projects involved in the Capital Construction Program, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its

adoption, and offer the following Resolution:

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

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
449	Rehabilitation of North Gage Rd CR65 T/Newport	Highway Rehabilitation Culvert Replacements, Drainage Improvements, Gravel Subbase, Asphalt Surface, Guide Rail, and Construction Support	\$4,000,000.00
450	Rehabilitation of Baum Rd CR 62 T/Schuyler, T/Herkimer	Highway Rehabilitation culvert replacements, drainage improvements, gravel subbase, asphalt surface, guiderail & construction support	\$3,200,000.00
451	Bridge Reconstruction on Peckville Rd CR 148 over Gillette Creek BIN 3307770	Bridge Construction, Construction Inspection and Construction Support	\$2,238,000.00

and, be it further

RESOLVED, that these projects will be funded by a combination of Federal, State, and/or CHIPS monies; and, be it further

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

Dated: March 18, 2026.

On motion of Ms. Bennett, seconded by Mr. Lucenti, Report and Resolution No. 87 sponsored by the Committee on Education and the Committee on Ways & Means concerning change orders in connection with Herkimer County Community College projects was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 87

REPORT AND RESOLUTION CONCERNING CHANGE ORDERS IN CONNECTION WITH HERKIMER COUNTY COMMUNITY COLLEGE PROJECTS

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

WHEREAS, by letter dated February 23, 2026 from Sheri A. Ferdula, Budget Office/Purchasing Agent, this Legislature is advised that change orders have been presented for payment for work that was completed in October of 2025 for the College projects as follows:

Lovett Mechanical (Plumbing)	Original Contract	\$450,000.00
	<u>Change CO-02-002</u>	<u>\$9,954.37</u>
	New Contract Amount	\$459,954.37

This change was to replace the TMV & Check Valve (mixing valve) on the domestic water lines.

Pike Construction	Current Contract	\$1,561,688.62
	<u>Change SCP0009</u>	<u>\$3,564.00</u>
	New Contract Amount	\$1,565,252.62

This change was for asbestos removal on the replacement of the mixing valve.

WHEREAS, your Committees have reviewed said letter concerning said change orders and recommend acceptance of same; now, therefore, be it

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, President of Herkimer County Community College, Lovett Mechanical, and Pike Construction.

Dated: March 18, 2026.

On motion of Ms. Bennett, seconded by Mrs. Wares, Report and Resolution No. 88 sponsored by the Committee on County Properties and the Committee on Ways & Means approving Consent and Agreement between Herkimer County Community College, Herkimer Solar, LLC and National Cooperative Bank N.A. was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 88

REPORT AND RESOLUTION APPROVING CONSENT AND AGREEMENT BETWEEN HERKIMER COUNTY COMMUNITY COLLEGE, HERKIMER SOLAR, LLC AND NATIONAL COOPERATIVE BANK N.A.

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

WHEREAS, Resolution No. 237 of 2020 authorized Herkimer County Community College to purchase solar energy credits through Herkimer Solar, LLC, 190 High St., Boston, MA 02210 [hereafter “the Project Company”]; and

WHEREAS, Herkimer County Community College entered into a VDER Value Stack Credit Sales Agreement with Herkimer Solar, LLC dated as of October 1, 2020, as amended by the First Modification Agreement, dated November 17, 2022, Second Modification Agreement dated August 15, 2024 and Third Modification Agreement dated February 20, 2025; and

WHEREAS, the Project Company, Herkimer Solar, LLC has entered into a Security Agreement with lender National Cooperative Bank, N.A.; and

WHEREAS, lender National Cooperative Bank, N.A. requires that the Project Company and Herkimer Community College as Customer execute a Consent and Agreement wherein the College as Customer acknowledges that its Agreement with Herkimer Solar, LLC is assigned as collateral to National Cooperative Bank, N.A. and, pursuant to this assignment, the National Cooperative Bank, N.A. is afforded certain rights and protections; now, therefore, be it

RESOLVED, that Resolution No. 25-6 adopted on February 19, 2026, by the College Board of Trustees is hereby approved to authorize the College to enter into the Consent and Agreement as set forth above; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the President of Herkimer County Community College, and Herkimer Solar, LLC.

Dated: March 18, 2026.

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 89 sponsored by the Committee on Ways & Means approving additional training sessions for financial system and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Wedemeyer, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 89

REPORT AND RESOLUTION APPROVING ADDITIONAL TRAINING SESSIONS FOR FINANCIAL SYSTEM AND APPROPRIATING FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated February 23, 2026 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request for additional post live training sessions for the new financial system, in the amount of \$24,000; and

WHEREAS, an appropriation of funds is necessary to accommodate this request; now, therefore, be it

RESOLVED, that the above described purchase of additional post live training sessions in the amount of \$24,000 is approved; and, be it further

RESOLVED, that an appropriation be made as follows:

\$24,000 From: A0000000 390900, Fund Balance
To: A1325000 544003, Treasurer, Contracted Services

and, be it further

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

Dated: March 18, 2026.

On motion of Mr. Brewer, seconded by Mr. Gaworecki, Report and Resolution No. 90 sponsored by the Committee on Information Services and the Committee on Ways & Means awarding proposal, transferring funds, and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 90

REPORT AND RESOLUTION AWARDED PROPOSAL, TRANSFERRING FUNDS, AND AMENDING BUDGET

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



HERKIMER COUNTY LEGISLATURE

No. 91

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR FUNDING OF CHILDHOOD LEAD POISONING PREVENTION SCREENING SERVICES GRANT AND AMENDING BUDGET

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

WHEREAS, by Resolution No. 228 for the year 1990, this Legislature authorized a contract with the New York State Department of Health to provide grant funding for the Childhood Lead Poisoning Prevention Program screening services and to increase public knowledge about lead poisoning and its prevention, which contract has been continued for each year thereafter; and

WHEREAS, by letter dated February 25, 2026, from Christina Cain, Director of Public Health, your Committees have been advised of a request to renew said agreement with the New York State Department of Health for the term commencing October 1, 2025 and ending September 30, 2026, with funding for this period to be in the amount of \$38,000.00; and

WHEREAS, by letter dated February 27, 2026, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2026 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for the period October 1, 2025 through September 30, 2026 in the total amount of \$38,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document in the amount of \$38,000.00 with the New York State Department of Health to continue the Childhood Lead Poisoning Prevention Program in the County of Herkimer for the period October 1, 2025 to September 30, 2026, unless terminated in accordance with the terms thereof; and, be it further

RESOLVED, that the 2026 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4014000 444890, Lead Prevention, Federal Aid	\$38,000
Expense Account:	A4014000 510000 Lead Prev., Salaries	\$17,000
	A4014000 541000, Lead Prev., Supplies	\$2,095
	A4014000 542100, Lead Prev., Phone	\$275
	A4014000 541910, Lead Prev., Insurance	\$1,000
	A4014000 544000, Lead Prev., Contracted	\$7,180
	A4014000 546100, Lead Prev., Mileage	\$300
	A4014000 546300, Lead Prev., Postage	\$150
	A4014000 581000, Lead Prev., Retirement	\$5,000
	A4014000 586000, Lead Prev., Health Ins.	\$5,000

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health, and the New York State Department of Health.

Dated: March 18, 2026.

On motion of Ms. Bennett, seconded by Mr. Donley, Report and Resolution No. 92 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract with the State of New York for funding for Early Intervention Administration Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 92

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE STATE OF NEW YORK FOR FUNDING FOR EARLY INTERVENTION ADMINISTRATION PROGRAM

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

WHEREAS, by letter dated February 25, 2026, from Christina Cain, Director of Public Health, this Legislature is advised that the New York State Department of Health has submitted a contract providing for the renewal of the Early Intervention Administration Program grant in the total amount of \$40,173.00; and

WHEREAS, said agreement shall be effective for the term October 1, 2025 through September 30, 2026; and

WHEREAS, the County of Herkimer has qualified personnel, facilities and expertise to provide the services required under the terms of the agreement; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature a contract with the New York State Department of Health, on behalf of the County of Herkimer for an Early Intervention Administration grant in the amount of \$40,173.00, with said grant to be for the period October 1, 2025 through September 30, 2026; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health, and New York State Department of Health.

Dated: March 18, 2026.

On motion of Mr. Schrader, seconded by Mr. Wedemeyer, Report and Resolution No. 93 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending budget and authorizing contract in connection with receipt of grant funds for Public Health Emergency Preparedness was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 93

REPORT AND RESOLUTION AMENDING BUDGET AND AUTHORIZING CONTRACT IN CONNECTION WITH RECEIPT OF GRANT FUNDS FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS

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

WHEREAS, by letter dated February 25, 2026, Christina Cain, Director of Public Health, has advised of receipt of a Public Health Emergency Preparedness Grant for the period from July 1, 2025 to June 30, 2026 in the amount of \$52,099 and requests a contract with the State of New York to provide reimbursement of expenses incurred by Herkimer County in the development of plans under said grant; and

WHEREAS, by letter dated February 26, 2026 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to amend the 2026 Operating Budget in connection with the receipt of said funding and create a project; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the State of New York for a Public Health Emergency Preparedness Grant for the period from July 1, 2025 to June 30, 2026 in the amount of \$52,099, to provide reimbursement for expenses incurred by Herkimer County in the development of a Public Health Emergency Preparedness Plan; and, be it further

RESOLVED, that the 2026 Herkimer County Budget is hereby amended and a project be created as follows:

Revenue:

A4015000 444010, EM Prep., Federal Aid	\$52,099
--	----------

Expenses:

A4015000 510000, EM Prep., Salaries	\$29,015
A4015000 541000, EM Prep., Supplies	\$2,951
A4015000 546000, EM Prep., Miscellaneous Expense	\$1,750
A4015000 546100, EM Prep., Mileage	\$1,000
A4015000 581000, EM Prep., Retirement	\$8,691

A4015000 586000, EM Prep., Health Insurance

\$8,692

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: March 18, 2026.

On motion of Mr. Ackerman, seconded by Mrs. Wares, Report and Resolution No. 94 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Resolution No. 290 of 2025 was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 94

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 290 OF 2025

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

WHEREAS, Resolution No. 290 of 2025 accepted funding and authorized a contract in the Public Health Department; and

WHEREAS, by communication dated February 23, 2026, Christina Cain, Director of Public Health, has requested to amend Resolution No. 290 of 2025 to correctly state approval for Public Health to contract with Docs for Tots, 225 Bryant Ave., Roslyn, NY 11225, to implement the Help Me Grow Program; now, therefore, be it

RESOLVED, that Resolution No. 290 of 2025 is amended to correctly state approval for Public Health to contract with Docs for Tots, 225 Bryant Ave., Roslyn, NY 11225, to implement the Help Me Grow Program; and, be it further

RESOLVED, that the Chairman is further authorized to sign the contract, pending County Attorney approval; 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: March 18, 2026.

On motion of Ms. Bennett, seconded by Mr. Schrader, Report and Resolution No. 95 sponsored by the Committee on Human Resources and the Committee on Ways & Means

accepting grant funding, creating accounts, and amending budget in the Public Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 95

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, CREATING ACCOUNTS, AND AMENDING BUDGET IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by communication dated February 23, 2026, Christina Cain, Director of Public Health, has requested to accept a grant from the NYS Unified Court System for NYS Overdose Intervention Initiative for a period of three years in an amount up to \$900,000; and

WHEREAS, by letter dated March 2, 2026 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to amend the 2026 Budget and create accounts in connection with the receipt of the funding under said grant; now, therefore, be it

RESOLVED, that the 2026 Herkimer County Budget is hereby amended and accounts are created as follows:

Create:

Revenue Account: A4022000 444890, OII, Federal Aid \$100,000

Expense Account: A4022000 544000, OII, Contracted \$100,000

and, be it further

RESOLVED, that the Chairman is further authorized to sign the contract, pending County Attorney approval; 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: March 18, 2026.

On motion of Mr. Lucenti, seconded by Mr. Wedemeyer, Report and Resolution No. 96 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of agreement in Public Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 96

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT IN PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by letter dated February 23, 2026, Christina Cain, Director of Public Health, has requested renewal of an existing contract with James McGuinness & Associates for a term of two years, from January 1, 2026 to December 31, 2027; and

WHEREAS, said letter further states the cost will be \$44,396 annually, plus 5% of Medicaid remittance value, which breaks down to \$3,699.66 monthly (\$1,033 for maintenance and support of preschool and CPSE portal, \$1,000 eSTACs, \$1,666.66 full-service Medicaid billing); now, therefore, be it

RESOLVED, that the renewal of the contract with James McGuinness & Associates, Inc. is authorized for a two year term, January 1, 2026 through December 31, 2027 at a cost of \$44,396 annually, plus 5% of Medicaid remittance value, which breaks down to \$3,699.66 monthly (\$1,033 for maintenance and support of preschool and CPSE portal, \$1,000 eSTACs, \$1,666.66 full-service Medicaid billing); and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract with James McGuinness & Associates, Inc., 1482 Erie Boulevard, Schenectady, New York 12305, for said services for the Preschool Special Education Program, with the terms and conditions of said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is 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 Public Health, and James McGuinness & Associates, Inc.

Dated: March 18, 2026.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 97 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract in the Public Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 97

REPORT AND RESOLUTION AUTHORIZING CONTRACT IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by letter dated February 25, 2026, from Christina Cain, Director of Public Health, this Legislature is advised of a request to authorize a contract with Venesky & Company, 6114 State Route 31, Cicero, NY 13039, for Article 6/State Aid review and training services; and

WHEREAS, this contract will run from January 1, 2026 through March 31, 2027 for a one-time fee of \$26,000; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign a contract with Venesky & Company for Article 6/State Aid review and training services, from January 1, 2026 through March 31, 2027 for a one-time fee of \$26,000, with said contract subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health, and Venesky & Company.

Dated: March 18, 2026.

On motion of Mr. Schrader, seconded by Mr. Bick, Report and Resolution No. 98 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means to create temporary position was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Wedemeyer, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 98

REPORT AND RESOLUTION TO CREATE TEMPORARY POSITION

Sponsored by: Committee on Administration/Veterans' Affairs

Committee on Ways and Means

WHEREAS, by letter dated March 3, 2026 from Steven R. Billings, Personnel Officer, he has requested to create a temporary position of Deputy County Administrator from May 11, 2026 through July 10, 2026 at an annual salary of \$90,000; and

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

RESOLVED, that a temporary position of Deputy County Administrator is created from May 11, 2026 through July 10, 2026 at an annual salary of \$90,000; and, be it further

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

Dated: March 18, 2026.

On motion of Mr. Bick, seconded by Mr. Donley, Resolution No. 99 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means appointing County Administrator and amending Salary Schedule No. I was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Wedemeyer, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (16).

Against: None.

Absent: Haehl (1).



HERKIMER COUNTY LEGISLATURE

No. 99

RESOLUTION APPOINTING COUNTY ADMINISTRATOR AND AMENDING SALARY SCHEDULE NO. I

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

WHEREAS, by Local Law No. 3 for 1976, this Legislature established the position of County Administrator; and

WHEREAS, James W. Wallace, Jr. has announced his future resignation; and

WHEREAS, it is the recommendation of the Administration/Veterans' Affairs Committee to appoint Alvin Montana II of Dolgeville NY, to the position of County Administrator, effective July 13, 2026 to serve the remainder of the term through February 11, 2027; and

WHEREAS, it is the recommendation of the Ways & Means Committee to amend Salary Schedule No. I to increase the base pay rate for the title of County Administrator from \$118,366.00 to \$120,000.00; now, therefore, be it

RESOLVED, that Alvin Montana II, of Dolgeville, New York, be, and he hereby is, appointed County Administrator of the County of Herkimer to serve the remainder of the term, effective July 13, 2026 through February 11, 2027, at a 2026 base pay rate of \$120,000; and, be it further

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

Dated: March 18, 2026.

Mr. Montana thanked the Legislature for the appointment.

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

At 7:19 p.m. on motion of Mr. Malta, seconded by Mr. Weakley, the Legislature adjourned to April 1, 2026 at 2:00 p.m., with a Public Hearing on CDBG – Microenterprise Performance at 1:15 p.m.

Brittney R. Viscomi, Clerk