

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, September 10, 2025

7:00 p.m.

6:25 p.m. – Public Hearing – CDBG

6:27 p.m. – Public Hearing – Introductory Local Law B – Mortgage Tax

PLEDGE OF ALLEGIANCE

Moment of Silence in Recognition of All Veterans, Past and Present

ROLL CALL

Communications:

321	NYMIR – Submitting 2024 Annual Report	FILE
322	Solid Waste Authority – Submitting information on Regional Demolition Program	FILE
323	Senator Mark Walczyk – Acknowledging receipt of Resolution No. 254 of 2025	FILE
324	Town of Salisbury Assessor – Requesting assistance in Supreme Court Case	FILE
325	Director of Information Services – Requesting approval to upgrade Storage Area Network	INFO. SVCS. WAYS & MEANS
326	STOP-DWI Coordinator – Requesting approval of 2026 STOP-DWI Plan	PUB. SFTY./ EMER. MGMT. WAYS & MEANS
327	Herkimer County Land Bank Director – Requesting transfer of properties	CO. PROPERTIES
328	Commissioners of Elections – Requesting extension of contract	ADMIN./VETS. WAYS & MEANS
329	Director of Probation – Requesting amendment to ATI Board	PUB. SFTY./ EMER. MGMT.
330	Commissioner of Social Services – Requesting MOU between DSS and OFA for Home Energy Assistance Program	HUMAN RES. WAYS & MEANS
331	Budget Officer/Purchasing Agent – Requesting transfer of funds within the Infrastructure Grant in Public Health	WAYS & MEANS
332	Budget Officer/Purchasing Agent – Requesting transfer of funds in ETA	WAYS & MEANS
333	Budget Officer/Purchasing Agent – Requesting to accept Healthy Families Grant, create project, and amend budget	HUMAN RES. WAYS & MEANS
334	Budget Officer/Purchasing Agent – Requesting amendment to the Budget for additional funding for the Early Intervention Administration Grant	HUMAN RES. WAYS & MEANS

HERKIMER COUNTY LEGISLATURE MEETING
Wednesday, September 10, 2025
7:00 p.m.

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| 335 | Sheriff – Requesting approval of agreement for SPO/SRO Placement | PUB. SFTY./
EMER. MGMT.
WAYS & MEANS |
| 336 | County Attorney – Requesting resolution on sales tax extender | WAYS MEANS |
| 337 | Director of Public Health – Requesting reimbursement for training in Public Health | HUMAN RES.
WAYS & MEANS |
| 338 | County Attorney – Requesting settlement agreements with eight opioid manufacturers | WAYS & MEANS |

Consent Agenda:

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| 259 | WAYS & MEANS: Authorizing transfer of funds | VOICE |
| 260 | WAYS & MEANS: Authorizing transfer of funds in Employment & Training | VOICE |
| 261 | PUB. SFTY./EMER. MGMT.: Amending Resolution No. 211 of 2004 concerning membership on the Alternatives to Incarceration Advisory Board | VOICE |
| 262 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Approving 2026 STOP-DWI Plan | VOICE |

Regular Agenda:

Reports and Resolutions:

- | | | |
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| 263 | HUMAN RES., WAYS & MEANS: Authorizing MOU Between DSS and OFA for Home Energy Assistance Program Services | VOICE |
| 264 | ADMIN./VETS., WAYS & MEANS: Authorizing contract for Voter Registration System | VOICE |
| 265 | CO. PROPERTIES: Authorizing transfer of real property to the Herkimer County Land Bank Corporation | ROLL CALL |
| 266 | PUB. SFTY./EMER. MGMT., WAYS & MEANS: Authorizing agreement with school district for placement of officer at school | VOICE |
| 267 | HUMAN RES., WAYS & MEANS: Accepting additional funding an amending budget for Early Intervention Administration Grant | VOICE |
| 268 | HUMAN RES., WAYS & MEANS: Accepting grant, creating project, and amending budget for Healthy Families Program | VOICE |
| 269 | HUMAN RES., WAYS & MEANS: Authorizing reimbursement for training | VOICE |
| 270 | CO. PLNG. & DEV., WAYS & MEANS: Authorizing to submit a grant application to the New York State Office of Community Renewal CDBG Program | VOICE |

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, September 10, 2025

7:00 p.m.

- | | | |
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| 271 | WAYS & MEANS: Authorizing and approving settlement agreements against eight small opioid manufacturer companies | VOICE |
| 272 | CO. PLNG. & DEV., WAYS & MEANS: Accepting grant from the United State of America | VOICE |
| 273 | WAYS & MEANS: Imposing general sales and compensating use taxes, pursuant to the authority of Section 1210 of Article 29 of the New York Tax Law | ROLL CALL |
| 274 | WAYS & MEANS: Regarding Introductory Local Law B for 2025 | ROLL CALL |
| 275 | IN MEMORIAM: Leonard R. "Lenny" Hendrix | VOICE |

Adjourn to Wednesday, October 1, 2025

at 2:00 p.m.



HERKIMER COUNTY LEGISLATURE

No. 259

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated August 20, 2025, submitting a request for a transfer of funds within the Infrastructure Grant, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

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

\$7,000 From: A4016000 586000, Infrastructure, Health Insurance
 To: A4016000 541000, Infrastructure, Supplies

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: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 260

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN EMPLOYMENT AND TRAINING

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated August 20, 2025, submitting a request for a transfer of funds in the Employment and Training Department, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

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

\$3,800	FROM: CD6291000 510000, TANF, Salaries
	TO: CD6291000 541000, TANF, Supplies

and, be it further

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

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 261

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 211 OF 2004 CONCERNING MEMBERSHIP ON THE ALTERNATIVES TO INCARCERATION ADVISORY BOARD

Sponsored by: Committee on Public Safety & Emergency Management

WHEREAS, by Resolution No. 211 adopted on July 28, 2024 this Legislature made appointments of individuals to the Alternatives to Incarceration Advisory Board; and

WHEREAS, by letter dated August 5, 2025, Michael D. Scalise, Director of Probation, has requested said resolution be amended to list by title/agency, not by individuals on said Alternatives to Incarceration Advisory Board; now, therefore, be it

RESOLVED, that Resolution No. 211 of 2004 is hereby amended to delete the First Resolved Clause and replace it with the following:

RESOLVED, that the individuals serving in the following titles/agencies are hereby appointed to serve as a members of the Alternatives to Incarceration Advisory Board: Chairman, Herkimer County Public Safety & Emergency Management Committee; Chairman, Herkimer County Legislature; Herkimer County Administrator; Herkimer County District Attorney; Herkimer County Assigned Counsel/Public Defender Administrator; Herkimer County Court Judge and Surrogate, as appointed by the Administrative Judge of Herkimer County; Town/Village Magistrate, as appointed by the Administrative Judge of Herkimer County; Herkimer County Sheriff; Herkimer County Department of Social Services Commissioner; Police Chief/Administrator representing police agencies in Herkimer County; Herkimer County Director of Community Services/Mental Health; Herkimer County Director of the Office for the Aging; Crime Victims Services Coordinator; and Herkimer County Probation Director; and, be it further

RESOLVED, that in all other respects, said Resolution No. 211 of 2004 is hereby ratified and confirmed; and, be it further

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

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 262

REPORT AND RESOLUTION APPROVING 2026 STOP-DWI PLAN

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

WHEREAS, the New York State Legislature, by Chapter 913 of the Laws of 1981, established a Special Traffic Options Program for Driving While Intoxicated; and

WHEREAS, the said Law provides for the establishment of such a program by the counties of the State of New York; and

WHEREAS, the Herkimer County Legislature authorized by Resolution No. 270 for the year 1981, participation by the County of Herkimer in the STOP-DWI Program; and

WHEREAS, by letter dated August 20, 2025, John Lynch, STOP-DWI Coordinator, has submitted the STOP-DWI Plan for the year 2026 for approval by this Legislature; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby approves the STOP-DWI Plan for 2026;
2. That the funds accrued in the year 2025 and prior thereto be expended for the continuance of the STOP-DWI Program;
3. That the STOP-DWI Coordinator and Advisory Board submit timely reports regarding revenue obtained and expended within limits previously approved, to the appropriate committees of the County Legislature;
4. That the previous resolutions regarding the STOP-DWI Program be continued as resolved;
5. That certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, STOP-DWI Coordinator, and the New York State Department of Motor Vehicles.

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 263

REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE HERKIMER COUNTY OFFICE FOR THE AGING FOR HOME ENERGY ASSISTANCE PROGRAM SERVICES

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

WHEREAS, your Committees have been informed by letter dated August 15, 2025 from Timothy Seymour, Commissioner of Social Services, that a proposed Memorandum of Understanding has been submitted to and accepted for the Herkimer County Office for the Aging to provide services to the Herkimer County Department of Social Services under the Home Energy Assistance Program (HEAP) for applicants 60 years and older for the 2025-2026 season; and

WHEREAS, the Herkimer County Department of Social Services agrees to pay the Herkimer County Office for the Aging 25% of the Department of Social Services HEAP administrative allocation for the Home Energy Assistance Program for the 2025-2026 season; and

WHEREAS, the Home Energy Assistance Program is 100% federally funded and there are sufficient monies budgeted for said services; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes a Memorandum of Understanding between the Herkimer County Department of Social Services and the Herkimer County Office for the Aging for the Office for the Aging to provide services for the Home Energy Assistance Program for applicants 60 years and older and the Herkimer County Department of Social Services will pay the Office for the Aging 25% of the Department of Social Services HEAP administrative funds for said services; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign said Memorandum of Understanding as an indication of the approval of the same by this Legislature; and, be it further

RESOLVED, that should any further additional funds be received for the 2025-2026 HEAP season, the Herkimer County Department of Social Services is hereby authorized to pass those funds on to the Office for the Aging on a pro-rated basis; and, be it further

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

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 264

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR VOTER REGISTRATION SYSTEM

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

WHEREAS, by Resolution No. 171 of 2005 a contract was approved for a period of five years with NTS Data Services, LLC, for a voter registration system, including installation, support and maintenance, pursuant to the Federal Help America Vote Act, which contract was most recently renewed by Resolution No. 29 of 2023; and

WHEREAS, by letter dated August 15, 2025 from Teresa Robotham and Robert J. Hoyt, Commissioners of Elections, this Legislature is advised of a request to extend said contract for an additional five years, for ongoing support and maintenance of said voter registration system with pricing as follows: Year 2026 - \$38,064.60, Year 2027 - \$40,348.48, Year 2028 - \$42,769.39, Year 2029 - \$45,335.55, and Year 2030 - \$48,055.68; now, therefore, be it

RESOLVED, that a contract be entered into with NTS Data Services, LLC, 2079 Sawyer Drive, Niagara Falls, NY 14304 for the provision of ongoing support and maintenance of a voter registration system, for a five year term with pricing at Year 2026 - \$38,064.60, Year 2027 - \$40,348.48, Year 2028 - \$42,769.39, Year 2029 - \$45,335.55, and Year 2030 - \$48,055.68; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute said contract with the form of said contract to be subject to the approval of the County Attorney; and, be it further

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

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 265

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF REAL PROPERTY TO THE HERKIMER COUNTY LAND BANK CORPORATION

Sponsored by: Committee on County Properties

WHEREAS, the premises set forth in the attached list of properties at Schedule A are included in the County's 2022 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the County of Herkimer held those premises in abeyance and did not take title to them, or withdraw them from the In Rem Proceeding, pending action to be taken by the Herkimer County Land Bank Corporation (Land Bank); and

WHEREAS, unpaid taxes are due and owing for each parcel as set forth in the attached Schedule A; now therefore, be it

RESOLVED, that the County of Herkimer hereby agrees to restore these parcels to its In Rem Tax Proceedings and seek to take title to the premises by Court Order, and thereafter transfer the premises to the Land Bank, so long as the Land Bank adopts a resolution agreeing to take title to those parcels and to indemnify the County and hold it harmless from any suit, claim, cause of action or cost of any kind or nature in connection with the premises, including any such issue related to environmental contamination or cleanup of or otherwise related to the premises or claims for surplus; and, be it further

RESOLVED, that this Legislature further determines that there is no practical method to enforce the collection of taxes on the premises and that a supplementary proceeding to enforce collection will not be effective because of the dilapidated condition of the parcels; and, be it further

RESOLVED, that upon conveyance of the above described premises to the Land Bank, the delinquent tax liens, together with penalties and interest accrued as of the date of transfer on each parcel shall be cancelled by the County Property Agent; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary contracts and deeds and related documents in connection with the accomplishment of the above transfers; and, be it further

RESOLVED, that upon such conveyance, the County Property Agent is hereby authorized to issue and file Certificate of Cancellation of the said taxes; and, be it further

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

Dated: September 10, 2025.

<u>Serial #</u>	<u>Address</u>	<u>Tax Parcel #</u>
City of Little Falls		
74	Sniffen Richard Sniffen Robin 386 W Main St	114.75-1-70
81	Vail Barbara B W Main St	114.75-1-1.2
83	Young Jack F Young Jeanette L 21 Furnace St	114.68-2-10
Town of Frankfort		
213	Butera Joseph J 4172 Acme Rd	112.82-3-16
Town of German Flatts - Ilion		
277	Gallagher Brandon 8-10 Riverdrive	119.52-4-91
294	Londono Zenaida 26 W Clark St	119.36-2-54
295	Magro Ignazio Magro Cynthia 126-128 E Main St	120.37-4-53.1
296	Magro Ignazio Magro Cynthia 124 E Main St	120.37-4-53.2

312	Rizzo Joseph III	
	173 Central Ave	120.29-1-46
314	Rose Jeremy	
	Otsego St	119.52-4-19.2
320	Szarek Michele	
	29-31 Riverdrive	119.60-3-10

Town of Herkimer – Village of Herkimer

373	Balderston David	
	230 N Washington St	113.81-3-4
388	Chen Chiu Chin	
	N Main St	113.81-5-28
410	Londono Zenaida	
	5 S Park Pl	120.25-1-59

Town of Schuyler

776	Lenahan Thomas J	
	Lenahan Dorothy J	
	108 Newport Rd	104.2-1-47
777	Lenahan Thomas J	
	Lenahan Dorothy J	
	Newport Rd	104.2-1-48

Town of Stark

795	Moyer Christopher	
	1270 Chyle Rd	141.5-1-10



HERKIMER COUNTY LEGISLATURE

No. 266

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH SCHOOL DISTRICT FOR PLACEMENT OF OFFICER AT SCHOOL

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

WHEREAS, by letter dated August 18, 2025, Scott F. Scherer, Herkimer County Sheriff has requested to enter into an agreement for the placement of an SPO/SRO at Herkimer Central School, with the School District to provide reimbursement for all salary and fringe benefits plus any additional costs including training and any additional equipment; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Herkimer Central School for the placement of an SPO/SRO at the school, with the School District to provide reimbursement for all salary and fringe benefits plus an additional administrative fee of 15% of the salary and fringe benefits, with the terms and conditions of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals 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, Sheriff, and Herkimer Central School.

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 267

REPORT AND RESOLUTION ACCEPTING ADDITIONAL GRANT FUNDING AND AMENDING BUDGET FOR EARLY INTERVENTION ADMINISTRATION GRANT

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

WHEREAS, Resolution No. 183, adopted on August 11, 2021 accepted a 2021-2026 Early Intervention Administration Program Grant for Herkimer County in the amount of \$40,173 per year, for a total of \$200,865; and

WHEREAS, by letter dated August 20, 2025, Christina Cain, Director of Public Health, has advised of additional funding for said grant for year five only and requests the Chairman of the Legislature to sign by electronic signature; and

WHEREAS, by letter dated August 20, 2025, from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that it will be necessary to amend the 2025 Herkimer County Budget in connection with the receipt of additional funding in the amount of \$2,478, bringing the year five total to \$42,651; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature, a contract with New York State Department of Health, to receive the additional funding for year five of the Early Intervention Administration Program Grant for Herkimer County in the amount of 2,478, bringing the year five total to \$42,651 for the period October 1, 2025 to September 30, 2026; and, be it further

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

A4059000 434490, Early Intervention, State Aid	From: \$148,066
	To: \$150,544
A4059000 544000, Early Intervention, Contracted Services	From: \$254,317
	To: \$256,795

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: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 268

REPORT AND RESOLUTION ACCEPTING GRANT, CREATING PROJECT, AND AMENDING BUDGET FOR HEALTHY FAMILIES PROGRAM

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

WHEREAS, by letter dated August 20, 2025, Christina Cain, Director of Public Health, has requested renewal of the Healthy Families New York State Office of Children and Family Services Grant, which provides home visit services to pregnant women and their families, before and after delivery, to improve the health, development and wellness of infants, and has also requested authorization for the Chairman of the Legislature to sign said grant by electronic signature; and

WHEREAS, by letter dated August 20, 2025, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it will be necessary to create a project and amend the 2025 Herkimer County Budget in connection with the receipt of said grant in the amount of \$788,691 for the period of September 1, 2025 to August 31, 2026; 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 Office of Children and Family Services to receive the 2025-26 Healthy Families Grant for Herkimer County in the amount of \$788,691 for the period of September 1, 2025 to August 31, 2026; and, be it further

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

Revenue Account: Project HF25

A4012000 434010 Healthy Families, State Aid	From:	\$0
	To:	\$788,691

Expense Account: Project HF25

A4012000 510000 Healthy Families, Salaries,	From:	\$0
	To:	\$438,476

A4012000 522000, Healthy Families, Comp. Equip.	From:	\$0
	To:	\$3,835

A4012000 541000, Healthy Families, Supplies	From:	\$0
	To:	\$79,000

A4012000 541910, Healthy Families, Insurance	From:	\$0
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	To:	\$6,825
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A4012000 544000, Healthy Families, Contracted	From:	\$0
	To:	\$18,000

A4012000 545000, Healthy Families, Fees for Services	From:	\$0
	To:	\$20,000

A4012000 546000, Healthy Families, Miscellaneous Expense	From:	\$0
	To:	\$30,000

A4012000 546100, Healthy Families, Mileage	From:	\$0
	To:	\$16,640
A4012000 546300, Healthy Families, Postage	From:	\$0
	To:	\$525
A4012000 581000, Healthy Families, Retirement	From:	\$0
	To:	\$47,608
A4012000 583000, Healthy Families, Social Security	From:	\$0
	To:	\$27,185
A4012000 583500, Healthy Families, Medicare	From:	\$0
	To:	\$6,357
A4012000 584000, Healthy Families, Workers Comp.	From:	\$0
	To:	\$10,961
A4012000 585000, Healthy Families, Unemployment	From:	\$0
	To:	\$4,345
A4012000 586000, Healthy Families, Health Insurance	From:	\$0
	To:	\$78,934

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: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 269

REPORT AND RESOLUTION AUTHORIZING REIMBURSEMENT FOR TRAINING

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

WHEREAS, by letter dated August 25, 2025 from Christina Cain, Director of Public Health, this Legislature is advised that Public Health is planning to hold a training to increase the capacity of doulas, funded through the Healthy Families Grant, aimed at enhancing maternal and child health services in our community; and

WHEREAS, letter further advises that Madison County Rural Health Council has offered to co-host and share the costs of the upcoming trainings to be held on September 19th, 20th, and 21st, led by Beautiful Birth Choices, a DONA certified training organization; and

WHEREAS, request has been made to authorize reimbursement to Madison County Rural Health Council for fifty percent of the training expenses, not to exceed \$10,000, with eligible expenses to include the trainer, venue, training materials, registration, and coordination activities; now, therefore, be it

RESOLVED, that authorization is given for reimbursement to Madison County Rural Health Council for fifty percent of the training expenses, not to exceed \$10,000; 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: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 270

RESOLUTION AUTHORIZING TO SUBMIT A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Sponsored by: Committee on County Planning & Development

WHEREAS, the New York State Office of Community Renewal (the “OCR”) has announced availability of funding under the NYS CDBG Economic Development Stand-Alone Business Assistance program for the development of projects that meet the NYS CDBG Program Objectives and that provide decent, safe affordable housing, access to clean drinking water, proper disposal of household wastewater, access to local public facilities, and economic opportunities for persons from low-to moderate-income households by supporting development projects that are designed to create or retain employment opportunities or foster microenterprise activities and provide opportunities through planning efforts to address community development needs; and

WHEREAS, the Herkimer County Industrial Development Agency (the “IDA”) has requested that the County apply for and provide the OCR funding to assist Turbo Machined Products, LLC as a grant for the purpose of an expansion project that will build a 7,200 square foot addition to its current facility to house new machinery and equipment; and

WHEREAS, the Project, if awarded funding, will result in substantial benefit in the form of the creation of 15 new jobs benefitting low-to moderate-income individuals and families; and

WHEREAS, the County has held a public hearing on September 10, 2025 to obtain citizens’ views regarding the CDBG program as administered by OCR; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application on behalf of the County to request an amount not to exceed \$225,000 to the OCR; and, be it further

RESOLVED, that the Chairman is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the IDA for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the County Attorney; and, be it further

RESOLVED, that the Chairman is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the CDBG program; and, be it further

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

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 271

REPORT AND RESOLUTION AUTHORIZING AND APPROVING SETTLEMENT AGREEMENTS WITH ALVOGEN, INC., AMNEAL PHARMACEUTICALS, INC., APOTEX, INC., HIKMA PHARMACEUTICALS USA, INC., INDIVIOR, INC., MYLAND PHARMACEUTICALS, INC., SUN PHARMACEUTICAL INDUSTRIES, INC., AND ZYDUS PHARMACEUTICALS (USA), INC.

Sponsored by: Committee on Ways & Means

WHEREAS, Herkimer County has been notified by Simmons Hanly Conroy, LLP of a new global opioid settlement opportunity that will resolve claims or potential claims against the above eight small opioid manufacturer companies in one participation agreement; and

WHEREAS, by letter of Lorraine H. Lewandrowski, Herkimer County Attorney, dated August 19, 2025, the recommendation is made that the County participate in the above settlement; and

WHEREAS, it is anticipated that the settlement will involve both monetary compensation utilizing the same allocation as prior national agreements as well as injunctive relief; and

WHEREAS, it is in the best interest of the County of Herkimer to resolve this matter with respect to the above companies without further litigation; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized, subject to County Attorney approval, to execute and/or ESign the Settlement Participation Agreement and any other proposed settlement Agreements and to execute such other documents as may be necessary and appropriate to effectuate the settlements with Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex, Inc., Hikma Pharmaceuticals USA, Inc., Indivior, Inc., Myland Pharmaceuticals, Inc., Sun Pharmceutical Industries, Inc., and Zydus Pharmaceuticals (USA) Inc.; and, be it further

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



HERKIMER COUNTY LEGISLATURE

No. 272

RESOLUTION ACCEPTING GRANT FROM THE UNITED STATES OF AMERICA

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

RESOLVED, that the Herkimer County Legislature accept a grant dated June 12, 2025, from the United States of America (the "Government,") acting through the Administrator of the Rural Utilities Service ("RUS") an amount not to exceed \$500,000, ("Grant") to be used for such purposes as approved by RUS; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized on behalf of Herkimer County to execute and deliver under its corporate seal, which the Clerk is directed to affix and attest, as many counterparts, respectively, as shall be deemed advisable of grant documents, including a Grant and Security Agreement, deposit account control agreement and financing statements, as required by RUS; and, be it further

RESOLVED, that a separate account (hereinafter called the Pledged Deposit Account"), be opened in Adirondack Bank and all proceeds of the Grant shall be deposited in such account which shall be pledged to the Government and held in accordance with the provisions of the Grant and Security Agreement and the deposit account control agreement; and, be it further

RESOLVED, that the Chairman of the Legislature and the County Treasurer be, and each of them is authorized in the name and on behalf of Herkimer County, to execute all such instruments, make all such payments and do all such other acts as in the opinion of the officer or officers acting may be necessary or appropriate in order to carry out the purposes and intent of the foregoing resolutions; and, be it further

RESOLVED, that the following are the names and titles of the officers who validly held and occupied their respective positions on said date of actual execution of the document: Peter J. Campione, Chairman of the Legislature, William Weakley, Vice-Chairman of the Legislature, Brittney R. Viscomi, Clerk of the Legislature, and Kimberlee Enea, County Treasurer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, and U.S. Department of Agriculture Rural Utilities Service.

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 273

RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF HERKIMER, IMPOSING GENERAL SALES AND COMPENSATING USE TAXES, PURSUANT TO THE AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE NEW YORK TAX LAW

Sponsored by: Committee on Ways & Means

BE IT ENACTED by the Legislature of the County of Herkimer, as follows:

SECTION 1. Resolution No. 344, adopted by the Legislature of Herkimer County on December 14, 1987, shall expire and be deemed repealed on December 1, 2025; provided however, that all provisions of such Resolution No. 344 of 1987 in respect to the imposition, exemption, assessment, payment, payment over, determination, collection, and credit or refund of tax, interest and penalty imposed thereunder, the filing of forms and returns, the preservation of records for the purposes of such tax, the disposition of revenues, and any civil and criminal penalties applicable to the violation of the provisions of such Resolution No. 344 of 1987 shall continue in full force and effect with respect to all such tax accrued for periods prior to December 1, 2025 in the same manner as if such provisions were not so repealed.

SECTION 2. Imposition of general sales and compensating use taxes. There are hereby imposed and there shall be paid within this County all of the sales and compensating use taxes described in Article Twenty-Eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of such law, at the rate of three percent.

SECTION 3. In addition to the sales and compensating use taxes imposed by section two of this Resolution at the rate of three percent, (a) there are hereby imposed and there shall be paid in this County such sales and compensating use taxes at the additional rate of one percent, for the period commencing September 1, 1994, and ending November 30, 2027; and (b) there are hereby imposed and there shall be paid in this County such sales and compensating use taxes at the additional rate of one quarter of one percent, for the period commencing December 1, 2007, and ending November 30, 2027.

SECTION 4. Local options. Notwithstanding any contrary provision of this enactment or other law:

(a) Motor fuel and diesel motor fuel described in subdivision (m) of section eleven hundred eleven of the Tax Law shall not be taxed at a rate of cents per gallon.

(b) The clothing and footwear exemption described in paragraph thirty of subdivision (a) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(c) The residential solar energy systems equipment, installation service, and electricity exemptions described in subdivision (ee) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(d) The commercial solar energy systems equipment, installation service, and electricity exemptions described in subdivision (ii) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(e) The commercial fuel cell electricity generating systems equipment, installation service, and gas and electricity exemptions described in subdivision (kk) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(f) Residential energy sources and services described in paragraph three of subdivision (a) of section twelve hundred ten of the Tax Law shall be exempt from sales and compensating use tax imposed by this resolution.

SECTION 5. Taxes in addition to others. The taxes imposed by this enactment are in addition to any and all other taxes authorized or imposed under any other provision of law.

SECTION 6. The taxes imposed by this enactment shall be administered and collected by the State Commissioner of Taxation and Finance as provided in Articles Twenty-eight and Twenty-nine of the Tax Law. The provisions of Articles Twenty-eight and Twenty-nine of the Tax Law and any provision of the Tax Law or other law that applies to such articles, relating or applicable to the taxes imposed by this enactment, including the applicable definitions, transitional provisions, limitations, special provisions, exemptions, exclusions, refunds, credits and administrative provisions, so far as those provisions can be made applicable to the taxes imposed by this enactment, shall apply to the taxes imposed by this enactment with the same force and effect as if those provisions had been incorporated in full into this enactment and had expressly referred to the taxes imposed by this enactment, except to the extent that any of those provisions is either inconsistent with or not relevant to the taxes imposed by this enactment.

SECTION 7. Effective date. This resolution shall take effect immediately; provided however: Sections 1, 2, 4(f), 5 and 6 of this resolution shall be deemed to have been in full force and effect on March 1, 1988.

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 274

REPORT AND RESOLUTION REGARDING INTRODUCTORY LOCAL LAW B FOR 2025

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means of the Herkimer County Legislature desires to report that on the 10th day of September, 2025, pursuant to Resolution No. 256, it held a public hearing on the adoption of Introductory Local Law B for 2025 entitled, "A LOCAL LAW TO IMPOSE A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF HERKIMER", and that there were no appearances and no objections at said public hearing; that your Committee advises the adoption and enactment of the said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law B for 2025 be adopted in form attached hereto.

Dated: September 10, 2025.

INTRODUCTORY LOCAL LAW B – 2025

LOCAL LAW NO. 2 – 2025

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

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

Section 1. Imposition of Tax

Pursuant to Section 253-u of the Tax Law, as amended by Chapter 221 of the Laws of 2025, there is hereby imposed in the County of Herkimer a tax of \$0.25 for each \$100 and each remaining major fraction thereof of principal debt or obligation, which is or under any contingency may be secured at the date of execution thereof or at any time thereafter, by a mortgage on real property situated within the County of Herkimer and recorded on and after December 1, 2025, and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00. This local law hereby continues without interruption the imposition of the Herkimer County Mortgage Recording Tax as authorized by Herkimer County Local Law No. 3 for 2005.

Section 2. Applicability

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

Section 3. Additional Taxes

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

Section 4. Payment of Taxes

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

Section 5. Real Property Located in More than One County

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

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

Section 6. Disposition of Taxes

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

Section 7. Expiration Date

The tax imposed by this local law shall be effective from December 1, 2025 to December 1, 2027.

Section 8. Effective Date

This local law shall become effective on the first day of December, 2025, provided that a certified copy thereof is mailed by registered or certified mail to the Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least thirty days prior to the date the local law shall take effect. Certified copies of any local law described in this section shall also be filed with the Herkimer County Clerk, the Secretary of State and the State Comptroller within five days after the local law is duly enacted.

Dated: September 10, 2025.



HERKIMER COUNTY LEGISLATURE

No. 275

IN MEMORIAM

WHEREAS, Leonard R. “Lenny” Hendrix departed this life on September 5, 2025; and

WHEREAS, Lenny was an outstanding citizen, devoted husband, father, grandfather, and great-grandfather; and

WHEREAS, Lenny served with distinction as a member of the Herkimer County Legislature, representing District 6 from 1977 until 2013. During his tenure he served as Chairman of the County Legislature from July of 2003 through 2007; he served on every major committee, many as committee chair throughout his nearly 37 years on the County Legislature; and

WHEREAS, Lenny was a community-minded person who gave his time and talents as a 62-year member of the Ilion Volunteer Fire Department C.W. Carpenter Hose Co. #2, past president of the Ilion Board of Light and the Tri-County Funeral Directors Association, a member of the Ilion Elks #1444, the Ilion Masonic Lodge and a 32nd degree Master Mason; and

WHEREAS, During his time in the Legislature he also sat on many boards including the Herkimer Community College Board of Trustees, Jury Board, Health Services Advisory Board, Alternatives to Incarceration Advisory Board, Fire Advisory Board, and MVEDD; and

WHEREAS, Lenny is survived by Sandy, his wife of 61 years, three children, four grandchildren, and seven great-grandchildren; and

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

RESOLVED, That the County Legislature does hereby express its deepest regrets at the decease of Leonard R. “Lenny” Hendrix, and hope that this expression of remembrance may in some manner help console his family in their bereavement; and, be it further

RESOLVED, That a copy of this Resolution be sent to the family of Leonard R. Hendrix, and that an additional copy be spread upon the minutes of this meeting.

Dated: September 10, 2025.