

**Herkimer County Legislature
Ways & Means Committee Meeting
Friday, January 15, 2021
Via Zoom**

Follows Public Safety & Emergency Management and Ways & Means

Persons Attending:

Patrick E. Russell (Committee Chairman)
Kurt J. Ackerman (committee member)
Raymond Smith (committee member)
Raymond Johnson (committee member)
Frederick J. Shaw, Jr. (committee member)
John P. Stephens (committee member)
Vincent J. Bono, Chairman of the Legislature
James W. Wallace, Jr., County Administrator
Brandy Serow, Secretary to Co. Administrator
Lorraine Lewandrowski, County Attorney
Sheri Ferdula, Budget Officer/Purchasing Agent
Steve Billings, Personnel Officers
Kimberlee Enea, County Treasurer

(Non-Committee Members Signed In)

Legislator Gregory Malta, Sr.
Legislator Mark Gaworecki
Legislator Robert J. Schrader
Legislator Bob D. Hollum
Legislator William E. Keeler, Sr.
Legislator John L. Brezinski
Legislator Ray Donley
Legislator Peter Campione
Legislator William Weakley

Absent:

N/A

Mr. Russell called the meeting to order at 11:26 a.m.

Items discussed:

WAYS AND MEANS:

1. Approve Annual Report for Herkimer County Self-Insured Workers' Compensation Plan
2. Approve Annual Report for Stand Alone Workers Compensation Self-Insurance Coverage
3. Approve Annual Report of Budget Office
4. Adopt Purchasing Policy for 2021
5. Approve transfers and amendments in 2020 budget
6. Approve transfers and amendments in 2021 budget
7. Appropriate funds for water heater at jail
8. Approve Renewal of contract with Tyler Technologies in Treasurer's Office
9. Settlement in Treasurer's Office
10. Approve correcting tax roll in the Town of Russia

11. Amend part-time Salary Schedule to create position for vaccine/testing
12. Approve appointments to the Ethics Board
13. CSEA grievance settlement
14. Other

Committee Vote Record:

WAYS & MEANS:

Mr. Russell: "Number one is to approve the Annual Report for Herkimer County Self-Insured Workers' Compensation Plan. Anything new on that Steve that we should know?"

Steve Billings: "No, this is just the usual report. This is the plan that is in runoff. Forty-three claims left. We have whittled that down over the years from when I took over back in 2007. We had over one hundred and fifty claims. We are down to forty something. We are kind of where we are with it. These are claims that are not really right for buyout and they will serve their time out. Really nothing to report there."

Mr. Russell: "I need a motion to approve."

Item #1 - On motion of Mr. Johnson, seconded by Mr. Bono, Item #1 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Approve Annual Report for Stand Alone Workers Compensation Self-Insurance Coverage."

Item #2 – On motion of Mr. Shaw, seconded by Mr. Bono, Item #2 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number three approve Annual Report of Budget Office."

Item #3 - On motion of Mr. Stephens, seconded by Mr. Shaw, Item #3 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number four is to adopt Purchasing Policy for 2021."

Item #4 - On motion of Mr. Bono, seconded by Mr. Shaw, Item #4 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Approve transfers and amendments in 2020 budget."

Jim Wallace: "Pat, I'm sorry but do you mind if Sheri explains the last with the sales tax because I think some of us can get confused on that?"

Mr. Russell: "Okay."

Sheri Ferdula: "The last part of the letter is a budget amendment. When we budget for the jail quarter percent sales tax we budgeted it for 1.75%. The second account is our interfund transfer account so any time money goes from the general fund to another fund, in this case it goes to debt service because that is what it is earmarked for we also have to budget it in interfund

transfer. We ended up getting more money because of our sales tax revenue for the jail sales tax so I just need to increase the budget in the interfund transfer and the sales tax account for that money that money going through. Does that make sense?"

Mr. Russell: "Okay, good to know."

Jim Wallace: "Thank you Sheri."

Item #5 - On motion of Mr. Bono, seconded by Mr. Ackerman, Item #5 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Approve transfers and amendments in 2021 budget. Is there anything in there that needs to be discussed?"

Jim Wallace: "I think its fine but any questions we will answer."

Item #6 - On motion of Mr. Johnson, seconded by Mr. Smith, Item #6 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Appropriate funds for water heater at jail."

Item #7 - On motion of Mr. Smith, seconded by Mr. Johnson, Item #7 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number eight is to approve the renewal of a contract with Tyler Technologies in Treasurer's Office. Kim, do you want to speak to this at all?"

Kim Enea: "Sure. This is just the annual invoice that we get every year from them. Lately there has been a 5% increase every year for the software and maintenance updates but we have to have it."

Mr. Stephens: "Mr. Chairman, is this something that can be shopped out or is this a professional service that really nobody else does?"

Kim Enea: "Right now I don't think there is anyone else that supports the current computer system that we have."

Jim Wallace: "No John, and they are getting to the point where they are going to probably dump this system pretty soon. We are fortunate that they have been carrying us the last couple of years."

Kim Enea: "And I think we are only one of four entities country wide that still use this. I don't think they are going to support us much longer."

Mr. Stephens: "We are going to have to start thinking down the road in getting a new system."

Jim Wallace: "We have been talking about that yes. That's why I wanted to bring that point up."

Mr. Stephens: "Okay. Thank you."

Item #8 - On motion of Mr. Shaw, seconded by Mr. Smith, Item #8 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number nine settlement in Treasurer's Office."

Kim Enea: "This was based on a law firm, Selbach Law Firm, whose primary function is to go find counties who erroneously sent out tax enforcement letters to those people in bankruptcy and unfortunately due to short staffing in our office from COVID-19 two notices were mailed in error and that is on us. We were able to negotiate a lower settlement than what the attorney's office was looking for so in order to limit our exposure it's my recommendation to pay what they are asking of the \$2,775 and just be done with it. Lorraine, please correct me if I am wrong."

Lorraine Lewandrowski: "When somebody declares bankruptcy, that puts what they call an automatic stay, a notice is any creditor with them, the County is considered a creditor, this debtor was on the list of taxes owed and then a notice was sent to them. Attorney Selbach makes his living looking for creditors who have mailed debt notices in error."

Jim Wallace: "And Kim and Lorraine, correct me if I am wrong, you have taken steps where this won't happen in the future, correct?"

Both stated yes.

Item #9 - On motion of Mr. Shaw, seconded by Mr. Stephens, Item #9 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number ten approve correcting tax roll in the Town of Russia. Who is on this one?"

Jim Wallace: "I will take it Pat. We billed in error, a re-levy error on the Town and County tax bill. It was just a couple bucks over the \$2,500, an extra \$21 so we have to bring it to the Legislature."

Mr. Russell: "I need a motion."

Item #10 - On motion of Mr. Johnson, seconded by Mr. Stephens, Item #10 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number eleven amend part-time Salary Schedule to create position for vaccine and testing. Do you want to take this one?"

Jim Wallace: "I will take it and Steve jump in. I came to Pat and Steve and Christina with a possibility that we are going to have concerns going forward with testing help and giving the vaccines which we hope will increase as we go forward here. To create one salary in the part time schedule for \$26 and change. Steve and Christina worked on what the person would need. This hopefully will open it up if we need more help we can get more help and again it's just something I thought that might help us and Christina has the money in her COVID to pay for this. We thought it was a good thing moving forward so we don't get caught short if and when we do get expansion of the vaccines."

Item #11 - On motion of Mr. Shaw, seconded by Mr. Johnson, Item #11 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Number twelve approve appointments to the Ethics Board. Those are..."

Jim Wallace: "Your choice, Jim's choice and John's choice."

Mr. Russell: "Okay. That's how it goes?"

Jim Wallace: "Yes. I have Mike Edwards, Mr. Risley and I don't have Johns in front of me, I apologize."

Mr. Russell: "John Brezinski's?"

Jim Wallace: "Yes."

Mr. Russell: "All right, well I don't think they have even been used in twenty years or so."

Jim Wallace: "But we need to move forward because counties are getting written up by the comptroller."

Mr. Russell: "Oh, okay."

Jim Wallace: "We had eight or nine in ten or fifteen cites in the last audits of his two weeks ago."

Mr. Russell: "Oh. Wow. Is there a motion?"

Jim Wallace: "Mr. Chairman, Gregory Warchal for Mr. Brezinski."

Mr. Russell: "Okay. Anymore discussion?"

Item #12 - On motion of Mr. Bono, seconded by Mr. Russell, Item #12 was voted on, approved and moved for Resolution. Unanimous.

Mr. Russell: "Now the CSEA grievance settlement. That's something that needs to be in executive session?"

Jim Wallace: "If there is any discussion, Mr. Russell, we should go into executive session."

Item #13 - On motion of Mr. Stephens, seconded by Mr. Shaw, the Ways & Means Committee went into Executive Session at 11:39 a.m., under Public Officer's Law, Section 105 (d). On motion of Mr. Johnson, seconded by Mr. Shaw the committee voted to authorize the Chairman to enter into a Stipulation of Settlement with CSEA, Local 1000. Yes: Russell, Smith, Johnson, Shaw, Stephens, Bono (6). No: Ackerman (1). On motion of Mr. Stephens, seconded by Mr. Ackerman the Committee came out of Executive Session at 11:58 a.m.

Mr. Russell: "Is there any other for Ways and Means?"

Item #14 – NA.

On motion of Mr. Stephens, seconded by Mr. Johnson the Ways & Means committee adjourned at 11:59 a.m.