

MINUTES
Herkimer County Legislature
Second Quarter – First Day
Wednesday, April 1, 2020
2:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 2:00 p.m.

This session was held via teleconference in connection with COVID-19.

Chairman Bono lead the Legislature in the Pledge of Allegiance.

Chairman Bono called for a moment of silence in recognition of all veterans, past and present, as well as victims who have succumbed to the COVID-19 virus.

Roll Call: Quorum present, the following answering the roll:

Present: Malta, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Absent: Gaworecki (1).

Mr. Bono stated he just wanted to remind everyone this meeting is being recorded, as it always is and that record will be on file if need be, and the public has been invited to this meeting via teleconference.

Chairman Bono suspended the public comment period due to COVID-19 and stated that any interested individuals could submit comments by mail: 109 Mary Street, Herkimer, NY 13350 or by email: hcl legislature@herkimercounty.org.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of March 11, 2020. There were none, and the Chairman ordered them approved.

No. 135 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 136 – A communication was received from the Herkimer County Sheriff submitting monthly report for December 2019. Referred to the Committee on Public Safety & Emergency Management.

No. 137 – A communication was received from the County Clerk advising of fee being implemented. Filed.

No. 138 – A communication was received from Senator Seward advising of receipt of Resolution No. 94. Filed.

No. 139 – A communication was received from the Budget Officer/Purchasing Agent awarding bid for bus service to Old Forge for Youth Bureau. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 140 – 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. 141 – A communication was received from the Herkimer County Sheriff requesting amendment to Laundry List for increased Dues. Referred to the Committee on Ways & Means.

No. 142 – A communication was received from the Budget Officer/Purchasing Agent requesting contract for food service Management at New Correctional Facility. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 143 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 144 – A communication was received from the Director of Office for the Aging requesting amendment to Meals on Wheels contracts in connection with COVID-19. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 145 – A communication was received from the Budget Officer/Purchasing Agent requesting acceptance of additional funding and budget amendment in connection with COVID-19 in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 146 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer for additional funding for County Snow contract. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 147 – A communication was received from the County Highway Superintendent requesting an increase in funding for Project No. 399. Referred to the Committee on Highways.

No. 148 – A communication was received from the County Highway Superintendent requesting closure of a portion of Ashe Road. Referred to the Committee on Highways.

No. 149 – A communication was received from the Budget Officer/Purchasing Agent awarding bid for new generator at Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 150 – A communication was received from the Commissioners of Elections requesting extension of HAVA grant. Referred to the Committee on Administration/Veterans’ Affairs and the Committee on Ways & Means.

No. 151 – A communication was received from the Commissioners of Elections requesting extension of HAVA grant. Referred to the Committee on Administration/Veterans’ Affairs and the Committee on Ways & Means.

No. 152 – A communication was received from the Director of Health Services requesting unlimited part-time positions in Public Health in connection with COVID-19. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 153 – A communication was received from the Personnel Officer requesting temporary part-time position in Emergency Services in connection with COVID-19. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 154 – A communication was received from the Budget Officer/Purchasing requesting budget amendment related to the Eastern Mohawk Valley Regional Water Transmission Main Project. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 155 – A communication was received from the Herkimer County Sewer District submitting Resolutions for the purchase of a generator and transfer. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 156 – A communication was received from the Director of Office for the Aging requesting amendment to Meals on Wheels contracts to add additional meal in connection with COVID-19. Referred to the Committee on Human Resources and the Committee on Ways & Means.

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

The Chairman continued with the Regular Agenda.

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 100 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means approving the Eastern Mohawk Valley Regional Water Transmission Main Project, creating account, and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Gaworecki (1).

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 101 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means authorizing renewal of agreement with Strategic Development Specialists was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 102 sponsored by the Committee on Ways & Means amending Res. No. 379 of 2019 authorizing payment of dues was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 103 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means awarding contract for food service management at the new correctional facility was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 104 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending budget in connection with transportation services for the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 105 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending contracts for Meals on Wheels was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 106 sponsored by the Committee on Human Resources and the Committee on Ways and Means accepting additional funding and amending budget in connection with COVID-19 was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 107 sponsored by the Committee on Highways and the Committee on Ways and Means transferring funds in connection with County Snow Removal Contracts was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 108 sponsored by the Highways amending Res. No. 55 of 2020 approving projects was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 109 sponsored by the Committee on Highways discontinuing a portion of Ashe Road in the Town of Manheim was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Campione, seconded by Mr. Manno, Report and Resolution No. 110 sponsored by the Committee on Natural Resources and the Committee on Ways & Means awarding bid for generator in the Sewer District and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Against: None. Absent: Gaworecki (1).

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 111 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means extending contract in the Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 112 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means extending contract in the Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 113 sponsored by the Committee on Human Resources and the Committee on Ways and Means creating unlimited temporary part-time positions in Public Health in connection with COVID-19 was handed up; voted on and adopted by roll call vote:

For: Malta, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Against: None. Absent: Gaworecki (1).

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 114 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means creating temporary part-time position in Emergency Services in connection with COVID-19 was handed up; voted on and adopted by roll call vote:

For: Malta, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Against: None. Absent: Gaworecki (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 115 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending meals on wheels contracts to provide additional meal in connection with COVID-19 was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

On motion of Mr. Hollum, seconded by Mr. Malta, Resolution No. 116 sponsored by the Committee on Administration/Veterans' Affairs supporting Capital Off Track Betting Corporations efforts to allow sports wagering at all duly licensed and regulated Off Track Betting branch facilities was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Gaworecki (1).

Mr. Bono: "Before I go to comments by Legislators, I want to say a few things. Obviously this is new to us here and I hope everybody is well. The troops at the County have been working very diligently and very safely, trying to keep everyone safe here. As you know some of our departments are at 50% reduction so work is compounding daily as we speak until we get through this. I hope to be back to normal very soon just like everybody else. I just want to thank all of the employees that are working around the clock; there are a lot of them. Special consideration to Public Health, our nurses they're doing an outstanding job, if you know anything about when an epidemic like this happens, it's a lot of record keeping, a lot of tracking down people, a lot of paper work. Not to mention their everyday duties. John Raymond and Diane Ward have done an outstanding job in coordinating a lot of the supplies and efforts here. I don't want to miss anybody. Our highway guys are out there, they're one of the essential groups. I know they don't get a lot of recognition during this but they are doing a great job out there. As far as comments, what's going on, Diane thank you and tell the group over there they are doing a great job on behalf of the Legislature. I want to thank you and all the people over there. Can you give us just a background of what is going on over there and how we are handling it and where we are headed?"

Diane Ward stated the following, "Where we are headed is unknown territory still. As of today we have 18 confirmed positive cases of COVID-19 in our County, we have 97 test results that came back negative as of today. We are monitoring 37 people with mandatory Public Health orders due to COVID-19. Patients in households that we have under Public Health Orders we have to visit every day to check their welfare. We have 48 people on precautionary quarantine

right now which is people awaiting test results or people that were in contact with a positive case that we have to monitor for 14 days via phone. We released 26 people today from that precautionary quarantine, and as you have seen with the report yesterday we have 3 people that have succumbed to COVID-19. So a lot of it is tracking people down, doing a lot of phone calls, working as partners with our neighboring counties because as we know everybody is traveling. We have people that see providers in other counties so we're receiving information at all times from other counties for people that are ours or people that are seeking medical care in our community and trying to turn that over to the appropriate home County."

Chairman Bono: "Thank you Diane, appreciate it and thank you for all the hard work over there."

Diane Ward: "Thank you."

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

At 2:24 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, April 22, 2020 at 7:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 100

REPORT AND RESOLUTION APPROVING THE EASTERN MOHAWK VALLEY REGIONAL WATER TRANSMISSION MAIN PROJECT, CREATING ACCOUNT, AND AMENDING BUDGET

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

WHEREAS, by letter dated November 8, 2019, from John J. Piseck, Executive Director of the Herkimer County Industrial Development Agency (IDA), a request was made to approve the Eastern Mohawk Valley Regional Water Transmission Main Project, which will consist of Phase 3 and Phase 4, with a total project cost of \$3,102,500 over 2 to 3 years; and

WHEREAS, letter further requests the County provide the interim funding for the IDA to pay invoices associated with the projects, which the IDA will repay the County with the funds received from the NYS Municipal Restructuring Fund, from a grant that was awarded to the IDA on September 30, 2019 in the amount of \$3,102,500; and

WHEREAS, the Eastern Mohawk Valley Regional Water Transmission Main Project will support five communities along the Erie Canal Corridor, including the Towns of Schuyler and Herkimer; Villages of Frankfort, Ilion, and Herkimer, servicing over 22,000 people; and

WHEREAS, by letter dated March 24, 2020, from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that the creation of an account and an amendment to the 2020 budget is necessary; now, therefore be it

RESOLVED, that the Herkimer County Legislature approves the Eastern Mohawk Valley Regional Transmission Main Project; and, be it further

RESOLVED, that an account be established and a budget amendment be made as follows:

REVENUE:

\$3,102,500 A8389.3989B, MV Water Project, State Aid

EXPENSE:

\$3,102,500 A8389.40000, MV Water Project, Contractual Expense

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Executive Director of the Herkimer County Industrial Development Agency, Town of Schuyler, Town of Herkimer, Village of Frankfort, Village of Ilion, and Village of Herkimer.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 101

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 March 12, 2020, 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, 2021; and

WHEREAS, the cost for such services will be \$5,000 per month plus incidentals, totaling \$3,000 annually, for the period April 5, 2020 through April 4, 2021, 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 an amendment 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 \$5,000 per month plus incidentals, totaling \$3,000 annually, to extend the contract for the period April 5, 2020 through April 4, 2021, with all other terms of the agreement to remain in full force and effect, and with said contract to be subject to approval of the Herkimer County Attorney; and, be it further

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 102

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 379 OF 2019 AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2020

Sponsored by: Committee on Ways and Means

WHEREAS, on December 11, 2019 this Legislature adopted Resolution No. 379 authorizing payment of dues for municipal officers and employees during the year 2020; and

WHEREAS, by communication dated February 27, 2020, from Scott Scherer, Sheriff, a request was made to amend the 2020 National Sheriff's Association dues from \$115.00 to \$129.00, and further requests said Resolution No. 379 of 2019 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 379 adopted on December 11, 2019 be amended to change the amount from \$115.00 to \$129.00 for the National Sheriff's Association dues; and, be it further

RESOLVED, that in all other respects Resolution No. 379 of 2019 shall remain in full force and effect; and, be it further

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 103

REPORT AND RESOLUTION AWARDING CONTRACT FOR FOOD SERVICE MANAGEMENT AT THE NEW COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated March 11, 2020, the Budget Officer/Purchasing Agent has advised that a Request for Proposals was issued for a food service management contract for the new County Correctional Facility; and

WHEREAS, after review of the proposal, it is the recommendation of Scott Scherer, Sheriff, that a contract be awarded to Trinity Services Group, 477 Commerce Blvd., Oldsmar, FL 34677, to include managing the entire kitchen, including employees, meals, supplies, and cleaning, for a period of three (3) years with the option of two (2) one (1) year extensions, including CPI increase in years 2, 3, 4, and 5 not to exceed 2% and a ninety (90) day termination clause; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a contract for a food service management contract for the new County Correctional Facility to Trinity Services Group, to include managing the entire kitchen, including employees, meals, supplies, and cleaning, for a period of three (3) years with the option of two (2) one (1) year extensions, including CPI increase in years 2, 3, 4, and 5 not to exceed 2% and a ninety (90) day termination clause, with the terms of said contract to be subject to approval by 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, Sheriff, and Trinity Services Group.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 104

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH TRANSPORTATION SERVICES FOR OFFICE FOR THE AGING

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

WHEREAS, by letter dated March 12, 2020, Kathy L. Fox, Director of the Office for the Aging, has advised this Legislature of the receipt of a grant from the Community Foundation of Herkimer and Oneida Counties, Inc., which grant will provide transportation in Middleville, Poland, Ohio, and West Winfield areas; and

WHEREAS, by letter dated March 12, 2020, the Budget Officer/Purchasing Agent has requested that the 2020 Herkimer County Budget be amended in connection with the receipt of said Grant; now, therefore, be it

RESOLVED, that the 2020 Herkimer County Budget is hereby amended as follows:

REVENUE:

A6772E.1989A, Aging Community Foundation Grant	From: \$0
	To: \$6,290

EXPENSES:

A6772E.10000-001, Aging, Community Foundation, Salaries	From: \$0
	To: \$422
A6772E.10100, Aging, Community Foundation, Temp. Employees	From: \$0
	To: \$2,250
A6772E.46000, Aging, Community Foundation, Misc. Expense	From: \$0
	To: \$300
A6772E.46200, Aging, Community Foundation, Auto Expense	From: \$0
	To: \$3,000
A6772E.81000, Aging, Community Foundation, Retirement	From: \$0
	To: \$100
A6772E.83000, Aging, Community Foundation, Social Security	From: \$0
	To: \$120
A6772E.83500, Aging, Community Foundation, Medicare	From: \$0
	To: \$49
A6772E.84000, Aging, Community Foundation, Workers Comp	From: \$0
	To: \$49

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign all documents relating to this grant; and, be it further

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 105

REPORT AND RESOLUTION AMENDING CONTRACTS FOR MEALS ON WHEELS

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

WHEREAS, this Legislature by Resolutions No. 339 of 2018, No. 370 of 2018, and No. 353 of 2019, awarded contracts for Meals on Wheels to American Food & Vending; and

WHEREAS, by letter dated March 20, 2020 from Kathy Fox, request is being made to amend the meal contracts to provide an additional .57 cents per meal due to an increased cost for packaging all Home Delivered Meals for Little Falls, Dolgeville, Herkimer, Ilion, Mohawk, and Frankfort, in connection with COVID-19; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes an amendment to increase the meal contracts with American Food & Vending commencing on March 17, 2020, remaining in effect for 30 days from that date with the option to extend for two additional 30 day periods with written agreement from both parties:

Area:	Number of meals:	Cost:
<i>Ilion/Frankfort/Herkimer-prior resolution #339 dated 11/14/18</i>	up to 260 meals per day	\$4.38 + .57= \$4.95 per meal
<i>Newport/Poland/Ohio-Prior resolution #370 dated 12/12/18</i>	up to 50 meals per day	\$4.69 + .57= \$5.26 per meal
<i>Mohawk-Prior resolution #339 dated 11/14/2018</i>	up to 30 meals per day	\$4.29 + .57= \$4.86 per meal
<i>Little Falls/Dolgeville- prior resolution # 353 dated 11/11/19</i>	up to 125 meals per day	\$4.38 + .57= \$4.95 per meal

and, be it further

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 106

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING, AMENDING BUDGET, CREATING ACCOUNT AND PROJECT NUMBER IN CONNECTION WITH COVID-19

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

WHEREAS, by letter dated March 19, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised the Herkimer County Public Health Department will be receiving two additional funding awards through the New York State Department of Health/Health Research Incorporated, for Coronavirus (COVID-19) response activities; and

WHEREAS, letter further advises that an additional \$17,865 will be made available for the next twelve months and an additional \$7,700 will be made available for expenses retroactive back to January 20, 2020 relating to COVID-19; and

WHEREAS, the 2020 budget will need to be amended to allow for use of these funds, as well as creation of an expense account and project number; now, therefore, be it

RESOLVED, that the 2020 Herkimer County Budget is hereby amended in the amounts listed:

REVENUE:

A4188.4403, Bioterrorism, Federal Aid, COVID-1	From: \$0
	To: \$25,565

EXPENSE:

A4188.10000-001, Bioterrorism, Salaries, COVID-1	From: \$0
	To: \$17,000

A4188.10000-002, Bioterrorism, Overtime, COVID-1	From: \$0
	To: \$8,565

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign all documents relating to additional funding; 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: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 107

REPORT AND RESOLUTION TRANSFERRING FUNDS IN CONNECTION WITH COUNTY SNOW REMOVAL CONTRACTS

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

WHEREAS, by letter dated March 12, 2020, Sheri Ferdula, Herkimer County Budget Officer, has advised this Legislature that there are sufficient funds available for transfer to provide additional funds for County snow removal contracts with the towns, which formula is based on yearly sales tax collection and has exceeded the estimated amount for 2020; now, therefore, be it

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 2020 Budget:

\$30,000.00	From: D5110.41000-818, Maintenance Division, Stone Fill
	To: D5142.44000, County Snow, Cont. Services

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 108

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 55 OF 2020 APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 55 of 2020, this Legislature approved the use of County Road Fund monies for Project No. 399, Ohio City Road and Church Street, CR122, in the amount of \$425,000; and

WHEREAS, by letter dated March 10, 2020, Mark A. Nagele, County Highway Superintendent, has advised that additional funds are required for this project, and he has requested an increase in the appropriated amount to \$475,000; now, therefore be it

RESOLVED, that Resolution No. 55 of 2020 is hereby amended to increase the estimated cost for the project to \$475,000, and that County Road Fund monies in that amount are hereby approved for that project; 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: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 109

REPORT AND RESOLUTION DISCONTINUING A PORTION OF ASHE ROAD IN THE TOWN OF MANHEIM

Sponsored by: Committee on Highways

WHEREAS, by letter dated March 9, 2020, Jim Lindholm, P.E., Deputy County Highway Superintendent has advised that as discussed in a previous Highway Committee meeting on July 26, 2019, a portion of Ashe Road, County Road 246 in the Town of Manheim is showing increasing signs of deterioration; and

WHEREAS, by letter dated March 9, 2020, Deputy County Highway Superintendent has provided the Highway Committee with a drawing showing the portion of Ashe Road that it recommends be discontinued and further advises as to road conditions that have occurred due to local geologic and hydraulic conditions with no practical fix and prior attempts to repair; and

WHEREAS, Deputy County Highway Superintendent Lindholm further advises that the Herkimer County Highway Department has designated the discontinuance of a portion of Ashe Road as an unlisted action pursuant to the State Environmental Quality Review Act and as lead agency has conducted a coordinated review through 6 NYCRR 617.6(b)(3) on notice to other agencies with completion of a Short Form EAF and Negative Declaration, which have been filed at the Highway Department; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby finds that pursuant to Highway Law Section 131-b, that it is for the interest of the county to discontinue the designated portion of Ashe Road, County Road 246 in the Town of Manheim as described by the County Highway Department for the reasons set forth by the Deputy Highway Superintendent in his letter dated March 9, 2020, to wit: road settlement caused by local geologic and hydraulic conditions, numerous prior attempts to repair and no practical fix and hereby approves the closure of the portion of Ashe Road as designated by the Herkimer County Highway Department; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, County Auditor, Budget Officer, County Highway Superintendent, Town of Manheim, and New York State Department of Transportation.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 110

REPORT AND RESOLUTION AWARDING BID FOR GENERATOR IN THE SEWER DISTRICT, CREATING PROJECT, AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated March 9, 2020, Sheri Ferdula, Budget Officer has advised that sealed bids were received, opened and read in accordance with law for the purchase of a new generator for the Herkimer County Sewer District's Frankfort Pump Station; and

WHEREAS, it is the recommendation of Jim Rathbun, Chief Plant Operator, that the bid be awarded to the lowest bidder, Meid Electric, 10 Castle Street, Oneida, New York, 13421, in the amount of \$78,895; and

WHEREAS, it is necessary to create a project and appropriate funding to complete the purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for a new generator for the Herkimer County Sewer District's Frankfort Pump Station; and, be it further

RESOLVED, that a project be created and an appropriation of funds be made as follows:

\$78,895 From: G909, Sewer General Fund, Project 79-1
 To: H8130.40000, Sewer Capital, Contractual, Project 79-1

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Sewer District Chief Plant Operator, and Meid Electric.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 111

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 108 of 2012 this Legislature approved a contract with the State of New York to receive certain grant funding (Shoebox Grant) in the amount of \$140,668.52, to reimburse county boards of elections for local dollars spent to further implement the Help America Vote Act (HAVA) ; and

WHEREAS, by letter dated March 9, 2020 from the Commissioners of Elections, a request is being made to allow the Chairman of the Legislature to execute the HAVA Shoebox Grant extension for the contract dates of April 1, 2020 to March 31, 2021; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension from April 1, 2020 to March 31, 2021 on behalf of the County of Herkimer with the New York State Board of Elections in connection with the HAVA Shoebox Grant for the remaining grant functions; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute future extensions of the duration of said grant, so long as an unexpended balance remains and no other amendments to said grant are made; and, be it further

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 112

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 51 of 2007, Resolution No. 342 of 2009, Resolution No. 65 of 2013, Resolution No. 71 of 2015, Resolution 96 of 2017, and Resolution No. 85 of 2019, this Legislature approved contracts and extensions of contracts with the State of New York to receive certain grant funding in connection with HHS 2009 Federal Accessibility Funds and Voter Education/Poll Worker Training; and

WHEREAS, by letter dated March 5, 2020 from the Commissioners of Elections your Committees have been advised that the New York State Board of Elections has notified them that the Voter Education/Poll Worker Grant has been extended to March 31, 2021; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension to March 31, 2021 on behalf of the County of Herkimer with the New York State Board of Elections in connection with the Voter Education/Poll Worker Training Program for the remaining grant funds of \$4,169.89; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to execute future extensions of the duration of said grant, so long as an unexpended balance remains and no other amendments to said grant are made; and, be it further

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

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 113

REPORT AND RESOLUTION CREATING UNLIMITED TEMPORARY PART TIME POSITIONS IN PUBLIC HEALTH

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

WHEREAS, by letter dated March 19, 2020, Diane Ward, Director of Health Services, your committees are advised that unlimited temporary, part-time Registered Professional Nurse positions be established in the Public Health Department be established in Account A4010 effective from March 18, 2020 through September 18, 2020 at an hourly rate of \$22.45, in connection with COVID-19; now, therefore be it

RESOLVED, that unlimited temporary, part-time Registered Professional Nurse positions in Public Health be established in Account A4010 effective from March 18, 2020 through September 18, 2020 at an hourly rate of \$22.45; 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 Public Health.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 114

REPORT AND RESOLUTION CREATING TEMPORARY PART TIME POSITION IN EMERGENCY SERVICES

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

WHEREAS, by letter dated March 16, 2020, John J. Raymond, Director of Emergency Services has requested that a temporary, part-time position be established in connection with COVID-19; and

WHEREAS, by letter dated March 17, 2020, Steven R. Billings, Personnel Officer, states your committees have been advised that a temporary, part-time position of Emergency Management Coordinator be established in Account A3021 effective from March 16, 2020 through September 16, 2020 at an hourly rate of \$14.28; now, therefore be it

RESOLVED, that a temporary, part-time position of Emergency Management Coordinator be established in Account A3021 effective from March 16, 2020 through September 16, 2020 at an hourly rate of \$14.28; 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 Emergency Services.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 115

REPORT AND RESOLUTION AMENDING CONTRACTS FOR MEALS ON WHEELS TO PROVIDE ADDITIONAL COLD MEAL FOR ALL HOME DELIVERED MEAL RECIPIENTS

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

WHEREAS, this Legislature by Resolutions No. 339 of 2018, No. 370 of 2018, No. 52 of 2019, and No. 353 of 2019, awarded contracts for Meals on Wheels to American Food & Vending and Red Door Dairy Store, LLC; and

WHEREAS, by letter dated March 27, 2020 from Kathy Fox, request is being made to amend the meal contracts to provide an additional meal to all Home Delivered Meal recipients for Little Falls, Dolgeville, Herkimer, Ilion, Mohawk, Frankfort, and West Winfield, with this meal being cold and an addition to the hot delivery 5 days per week, at a cost of \$3.50 per meal; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes an amendment for all contracts with American Food & Vending and Red Door Dairy Store, LLC to add a cold meal to each hot meal delivery commencing on April 6, 2020, remaining in effect for 30 days from that date with the option to extend for two additional 30 day periods with written agreement from both parties:

Area:	Number of meals:	Cost:
<i>Ilion/Frankfort/Herkimer-prior resolution #339 dated 11/14/18</i>	up to 150 meals per day	\$3.50 per meal, up to \$15,750 for 30 days
<i>Newport/Poland/Ohio-Prior resolution #370 dated 12/12/18</i>	up to 20 meals per day	\$3.50 per meal, up to \$2,100 for 30 days
<i>Mohawk-Prior resolution #339 dated 11/14/2018</i>	up to 35 meals per day	\$3.50 per meal, up to \$3,675 for 30 days
<i>Little Falls/Dolgeville- prior resolution # 353 dated 11/11/19</i>	up to 70 meals per day	\$3.50 per meal, up to \$7,350 for 30 days
<i>West Winfield-prior resolution #52 dated 2/13/2019</i>	Up to 36 meals per day	\$3.50 per meal, up to \$4,200 for 30 days

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging, American Food and Vending, and Red Door Dairy Store, LLC.

Dated: April 1, 2020.



HERKIMER COUNTY LEGISLATURE

No. 116

RESOLUTION SUPPORTING CAPITAL OFF TRACK BETTING CORPORATIONS EFFORTS TO ALLOW SPORTS WAGERING AT ALL DULY LICENSED AND REGULATED OFF TRACK BETTING BRANCH FACILITIES AND REQUESTS THAT NEW YORK STATE LEGISLATURE AND EXECUTIVE PASS LEGISLATION ALLOWING OFF TRACK BETTING CORPORATIONS TO OFFER SPORTS WAGERING

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, Sports wagering is currently lawful in New York State at the four licensed casinos in New York State; and

WHEREAS, New York State has allowed wagering on the sport of Horse Racing at all licensed Off-Track Betting facilities since the early 1970's; and

WHEREAS, sports wagering, if allowed to be offered at licensed Off-Track Betting Corporations would help the Off-Track Betting Corporations meet their statutory responsibility of providing revenue for our county government partners by generating much needed new revenue from sports betting to help support critical county programs; and

WHEREAS, since the inception of OTB, for nearly 50 years, Capital Off-Track Betting has generated more than \$8.5 million dollars in revenues to Herkimer County from wagering on the sport of horse racing; and

WHEREAS, in an era where county governments continue to face unfunded mandates resulting in increased costs at a time counties work hard to meet the New York State imposed tax cap, revenue generated by Off-Track Betting for Herkimer County would provide important revenue to operate vital services to seniors, veterans and all local taxpayers; and

WHEREAS, if sports wagering was approved into New York State law for all Off-Track Betting facilities, local governments would realize increased revenue and would improve the county governments ability to meet its obligations and keep local taxes as low as possible; and

WHEREAS, Capital Off-Track Betting Corporation has more than 30 branch locations within 16 counties and the City of Schenectady, and allowing sports wagering at local Off-Track Betting facilities will produce increased revenue for Herkimer County; now, therefore be it

RESOLVED, Herkimer County supports Capital Off Track Betting Corporations efforts to allow sports wagering at all duly licensed and regulated Off-Track Betting branch facilities and requests that New York State Legislature and Executive pass legislation allowing Off-Track Betting Corporations to offer sports wagering; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, New York State Association of Counties, all Herkimer County Legislators, and James Accattato.

Dated: April 1, 2020.