

MINUTES
Herkimer County Legislature
Second Quarter – Third Day
Wednesday, May 13, 2020
7:00 p.m.

Public Hearing

The Public Hearing on the Open Enrollment Period for 2020 for Inclusion in Agricultural District No. 1 was called to order at 6:30 p.m. by Peter J. Campione, Chairman of the Natural Resources Committee via teleconference. The Clerk read the Notice. Mr. Campione then asked if there was anyone wishing to speak on the hearing. There were no requests to speak or comments submitted, and the hearing was declared closed at 6:31 p.m.

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Herkimer County Legislature will hold a Public Hearing on the proposed modifications of existing Herkimer County Agricultural Districts, which are in Agricultural District No. 1. The Public Hearing will be held on Wednesday, May 13, 2020 at 6:30 p.m., via teleconference: Phone Number: 1-978-990-5000, Access Code: 548560.

Twenty Seven (27) landowners have submitted requests in 2020 for inclusion of predominantly viable agricultural land within a certified agricultural district, and these requests have been filed with the Herkimer County Legislature pursuant to Section 303-b of the NYS Agriculture and Markets Law. The parcels are located in the Towns of Fairfield, Little Falls, Newport, Norway, Russia & Warren, which are all part of or adjacent to Agricultural District No. 1.

The public hearing shall be held to consider these landowners' requests and the recommendations of the Herkimer County Agricultural and Farmland Protection Board.

Dated at Herkimer, New York
May 1, 2020.
Brittney R. Viscomi, Clerk
Herkimer County Legislature
Herkimer, New York

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:00 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.

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

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

Absent: Manno (1).

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.

One comment was submitted by Philip Tangorra of Frankfort, N.Y.: I encourage the members of this body to remain steadfast in their resolve to return the County to a free, open community. It is paramount to the continued recent successes of Herkimer County and the surrounding region. The restrictions placed on small businesses, healthcare, religious entities, and the general public related to COVID-19 are not supported based on the data this legislative body provides daily. I ask that you keep focused on getting this area fully restarted and to push back against the Governor if additional setbacks and delays are put forth that are unsupported by data locally. I want to express my gratitude to Chairman Bono and Legislator Hollum for taking the time to speak with me outside of this forum about my concerns related to the shutdowns regionally. While I live outside of the districts they represent, their willingness to listen to concerns of all residents within the county is to be commended.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of April 22, 2020. There were none, and the Chairman ordered them approved.

Chairman Bono stated that the communications received by the Legislature and the committees to which they were referred were as listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. There were no requests.

No. 174 – A communication was received from the NYS Joint Commission on Public Ethics submitting February 2020 Audit Report of Herkimer County. Filed.

No. 175 – A communication was received from the Solid Waste Authority submitting Resolution and amended Authority Bylaws. Filed.

No. 176 – A communication was received from Assemblywoman Buttenschon acknowledging receipt of Resolution from Herkimer County. Filed.

No. 177 – A communication was received from the Personnel Officer requesting approval to pay out certain employees for loss of vacation time lost during COVID-19. Referred to the Committee on Ways & Means.

No. 178 – A communication was received from the Highway Superintendent requesting to sell surplus equipment and items. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 179 – A communication was received from the Commissioner of Social Services submitting 2019 Annual Report of DSS. Referred to the Committee on Human Resources.

No. 180 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation for Sewer District parking lot repairs. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 181 – A communication was received from the Director of Community Services requesting reimbursement for malpractice liability insurance. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 182 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds for purchase of equipment shelter for Aney Hill Tower Site. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 183 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds to rebuild the existing GIS mapping system. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 184 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation. Referred to the Committee on Ways & Means.

No. 185 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept additional funding in Public Health and amend budget. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 186 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept additional funding for Early Intervention and amend budget. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 187 – A communication was received from the Budget Officer/Purchasing Agent requesting purchase of voice recording system for the new correctional facility. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 188 – A communication was received from the Budget Officer/Purchasing Agent requesting to extend Builders Insurance Policy for the new correctional facility. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 189 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of accounts for HAVA Cares COVID-19 Grant in Board of

Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 190 – A communication was received from the Commissioners of Elections requesting to purchase absentee ballot application, envelopes, and mailing services. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 191 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in Office for the Aging for funding provided by the Families First Coronavirus Response Act. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 192 – A communication was received from the Commissioners of Elections requesting to bring to Committee election expenses in connection with COVID-19. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 193 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in DSS for Family First Prevention Act. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 194 – A communication was received from the Director of Office for the Aging requesting amendment to contract with Nascentia Health Care Options. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 195 – A communication was received from the Budget Officer/Purchasing Agent requesting Change Orders in connection with the new correctional facility. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 196 – A communication was received from the County Attorney requesting amendment to retainer agreement. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 197 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to Res. No. 103 of 2020. Referred to the Committee on Public Safety & Emergency Management 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. Shaw, seconded by Mr. Smith, Report and Resolution No. 128 sponsored by the Committee on Human Resources approving Annual Report of the Social Services Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Manno (1).

On motion of Mr. Campione, seconded by Mr. Russell, Report and Resolution No. 129 sponsored by the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District Resolution awarding bid for parking lot repair and authorizing appropriation of funds was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Manno (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 130 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing reimbursement for Professional Liability Insurance to Mental Health Consultant was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 131 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding and approving the transfer of funds for the purchase of an equipment shelter for Aney Hill Tower Site was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 132 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding and approving the transfer of funds to rebuild the existing GIS mapping system at the 911 center was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 133 sponsored by the Committee on Ways & Means appropriating funds was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Manno (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 134 sponsored by the Committee on Human Resources and the Committee on Ways & 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: Manno (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 135 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional grant funding and amending budget for the Early Intervention Administration contract was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 136 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving purchase of voice recording system at the New Correctional Facility was handed up; voted on and adopted by voice vote:

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

Mr. Manno was marked present.

On motion of Mr. Johnson, seconded by Mr. Weakley, Report and Resolution No. 137 sponsored by the Committee on County Properties, the Committee on Public Safety & Emergency Management, and the Committee on Ways & Means authorizing Builders Risk Coverage for the Herkimer County Correctional Facility project was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 138 sponsored by the Committee Natural Resources to provide that the additions to the existing Agricultural District for the year 2020 is in compliance with SEQRA was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 139 sponsored by the Committee Natural Resources approving additions to the existing Agricultural District for the year 2020 was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 140 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means accepting grant, authorizing Chairman to sign contract establishing accounts, and amending budget in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 141 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing purchase of absentee ballots was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 142 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting funding for Home Delivered Meals and Congregate Meals and amending the budget in Office for the Aging was handed up; voted on and adopted by voice vote:

Chairman Bono "Kathy Fox is on the line – Kathy can you just give us a little information on this?"

Kathy Fox "Yup, this money we got from the Federal Government to assist with our Home Delivered Meals program so what we are currently utilizing it for is, we started April 6 providing an additional cold meal along with the hot meal that we're serving, so that is what the funding is going towards. We have seen an increase in our Home Delivered Meals clients that we have, and our numbers of Meals on Wheels are up over 50% from when we first started this."

Chairman Bono "Thank you. Any questions for Kathy?"

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 143 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting award and authorizing contract in DSS in connection with the Family First Prevention Act (FFPA) was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Shaw, seconded by Mr. Manno, Report and Resolution No. 144 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing amendment to contract with VNA Homecare Options – Nascentia Health Options, LLC for provision of Home Delivered Meals was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 145 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means concerning change orders on contracts for electrical and plumbing in connection

with construction of the New Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: Brezinski, Ackerman (2). Absent: None.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 146 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing amendment to retainer of Construction Litigation Counsel was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 147 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Resolution No. 103 of 2020 awarding contract for food service management at the New County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

Chairman Bono: “Any discussion?”

Mr. Russell: “I just wanted to thank the Sheriff and the Undersheriff for the work they have done on this. This is very good; we had some issues and he got this all together and I am very appreciative.”

Chairman Bono: “I agree. Anyone else?”

Mr. Johnson: “Could we have the committee or the group look into what it would cost to have this group supply Meals on Wheels at the new facility, see what the cost per meal would be?”

Mr. Russell “I spoke to the Sheriff, he does have prices based on today’s prices.”

Mr. Wallace: “When Sheri and I looked at this a few months ago, it was a couple of hundred thousand dollars extra to provide the Meals on Wheels but that doesn’t mean we can’t take another look at it.”

Mr. Johnson: “Ok.”

Mr. Russell: “I don’t think that is going to be the case now based on what he said, but we will see.”

Chairman Bono: “That concludes the Resolution portion. Before I go onto the comments by Legislators, I have a few things here. We are asking Legislators, Administration, Department Heads, and employees of the County to donate to local food banks through the Central New

York Food Bank which is based in Syracuse but they will provide food for the ten food banks in our County. You can send us a check made out to Food Bank of Central New York. If the public is on and would like to donate they can certainly send a check, the address is on our website or you can send it directly to the County and we will make sure that gets sent to Central New York Food Bank. We just ask that you write a note saying you want that donation sent to Herkimer County's Food Banks. We would appreciate any help, certainly people are struggling. We definitely want to help the families that are in need, the people that don't have jobs and are struggling right now. Second of all, the County will be opening up Monday. Jim if you could just give us a quick break down."

Jim Wallace: "We've been talking with our Department Heads and of course Mr. Russell and Mr. Bono. We will have essential work back here as of the 18th. We think that is about the 90th percentile of our employees. There are some part-time employees that are on unemployment as we speak, Congregate Meals, etcetera. It probably isn't right to open that up just yet. What we would like to do, is open up on Monday with the majority of our employees, and then we are allowed to totally open which would be May 29th if all goes well, we would then open up to the public. Happy to answer any questions. Steve, the Department Heads, Mr. Bono, and Mr. Russell have been very helpful in putting this together."

Chairman Bono: "We are taking all the proper precautions that we need to take to make sure our employees are safe and our customers. We are following those guidelines."

Jim Wallace: "Our meeting three times a week with Mr. Johnson, Mr. Russell, Mr. Bono, and Mr. Stephens talked about putting up some plexiglass. Donnie and Tim have been working on that, we will have that ready to go. We will also have that ready for Probation and a couple other departments as well. Utica Glass is working with Donnie and Sylvia downstairs. I think we are moving along very well. We have been very fortunate with Sheri and Philomena working to find PPE for us and these kinds of materials, they have done a wonderful job. Just thought I'd throw that in there."

Chairman Bono: "Any other questions about that? Thirdly, you have heard about the startup New York. We are going to start with Phase 1 this Friday. Mr. Wallace and myself have been on conference calls with the control room. I have been designated as one of the members for that team, which is made up of every county leader plus the Mayors of Rome and Utica and RoAnn Destito is the head of that along with Delores Caruso and representatives from EDGE and ESD. We have our daily meeting with them. As far as today's meeting, we asked some questions yesterday. We got a few of those questions answered, some of them are still in the process of being answered. We were promised that we would hear something today in regards to ESD as far as the details of the construction, this is just Phase 1 now, this would be construction, manufacturing, curbside retail, I believe agriculture, forestry, and farming are also in that. They have expanded some of the jobs that are in that, and we look forward to hearing about it. If we meet all 7 of these metrics that are out there for the next week or two, which all depends on numbers, it is all data driven, we would definitely move on to Phase 2. The details of Phase 2 have not been written yet. We're hoping that by tonight something comes out, if not they promised us tomorrow. We are going to get ready and go with it. We're just asking everyone to use common sense. We don't need to tell everyone any more than they already know. You hear

it every five minutes of the day. Use the social distancing, cleanliness, wash your hands. A lot of the businesses are going to have to go online and there is a two page document that they would read, sign off on electronically, stating that they have read it, understand it, and will abide by it. It is sort of like a pledge, if you will. Then that pledge will be downloaded, there is a template that they can download. They will follow that template and that will be used in case they do have a complaint. They can show that to whomever the officer is whether it is codes, local police, or the State Police. They will show them that and that they are compliant. This is not going to be an easy task. For the most part the public is very compliant and they understand, wear the mask, use social distancing. But there are some people that are just defiant. We are going to have complaints, we just ask that everybody be considerate, and wear the mask. It's something that we don't want to do but we have to do. We definitely want to get through this in the easiest way. We don't want to put people up against people and police up against people. We just ask you to be considerate. Any questions on the startup? I've asked for a six county press conference. We are going to try to do that. I wanted to have it tomorrow, but the other five counties are a little hesitant on that. We should hear something tomorrow and when that press conference may be. If they don't want to do it then we will probably do one on our own just to let the businesses know what we know, what we find out, and what needs to be done. We are going to post a lot of this on our website. We have been working on our website to make it a little easier for the public. When it first pops up they will be directed to go to where they need to go to find out information. Jim just informed me they made a change today, there is a big banner on the top. Anything you need to know about COVID will be on top, you click on that and there will be links and websites that you can go to. Especially for the businesses. All of this will be on the Facebook page also. I ask that on Facebook you share this as much as you can. It does get a lot of hits, based on the counts that I get. We will certainly continue to put out press releases and let the public know as best as we can. Call the office with any questions that you may have. There is a lot of hearsay and a lot of gossip going around. Hear it from the horse's mouth, there is a lot going on right now. Public Health, Mental Health, the Sheriff's Office, 911, are all inundated. That is ramping up too, at 911, calls are starting to come in. It did go down by 50% but now it is starting to go back up. One last thing, I would just like to ask Diane Ward, our acting Director of Public Health if she would give us an update of what is going on and answer any questions from the Legislature."

Diane Ward: "Good evening. We are at 102 positive COVID tests since March 12. Currently we have 23 active cases of that 102. We have nobody in the hospital right now and 76 individuals that have recovered. We have had the three COVID deaths. As of today, we have 1,375 negative COVID test results. We have 44 people on mandatory Public Health orders for quarantine. We released a family of three today. We have 74 of precautionary quarantine. That precautionary quarantine changes minute by minute, day by day. These are people that have been exposed to a positive someplace, or they were names as a contact to a positive case. So we continue to monitor them every day with a phone call to see how they are doing, if they have developed any signs or symptoms we facilitate testing for the individual. Right now we are fielding a lot of questions from our local nursing homes and assisted living facilities about testing their state for that twice a week mandate put out through the Governor's executive order. We are still working through the details on that. Does anybody have any questions for me?"

Legislator Russell: “Yes I do. Are we seeing where people are going and having the test for the antibodies, do you get that reported to you, and what are we seeing if we do get them?”

Diane Ward: “So as of this morning, antibody testing is at about 600, we’ve seen 512 negative antibody tests, 24 equivocal, and 48 positive. The equivocal is not really a true strong positive, the test is starting to be positive but we don’t know what is going on. It is encouraged that they be re tested in 2-3 weeks, to see if they change to a positive or negative status. So at this point, we’ve seen almost 600 tests come across our laboratory system.”

Legislator Russell: “You said 48 are positive?”

Diane Ward: “48 are positive, yes.”

Legislator Russell: “Are they all over the County?”

Diane Ward: “They are all over the County. North, South, East, and West.”

Legislator Russell: “Thank you, I find that interesting.”

Diane Ward: “Some of the interesting aside from some of our past positives that have recovered have been tested for antibodies and have shown very strong antibody response.”

Chairman Bono: “Thank you Diane. It definitely is a complicated test. We are learning every day. Some of those tests like Diane said are just a snapshot in time so we take them for what they are. You know you could not have it today and have it tomorrow, some false positives and false negatives come up, throw that into the mix and it’s tough to decipher. For the most part, our numbers look good, we hope that continues. We certainly are going to get more cases, we are not fooling anybody in this at all. If you do the math 62,000 people, and how many positive cases we’ve had, and the negatives, and the square miles we have, you are really pretty safe in Herkimer County compared to most other counties. Another question I asked Diane today, just an FYI. I asked her how many of these positives are employees from a lot of the local big retailers, Walmart, Lowe’s, Hannafords, the convenient stores. And Diane I’m pretty sure that you said not any of them were if I’m not mistaken, is that correct?”

Diane Ward: “That is correct. We know of some employees that have been tested at some of those stores but so far everything has been negative.”

Chairman Bono: “A lot of our healthcare facilities, that’s mainly where a lot of this comes from. It is just interesting that where most of the population goes to shop that a lot of those people that work there aren’t infected as bad as other industries. I just thought it was interesting. Does anyone else have a question for Diane?”

Legislator Russell: “In regards to the antibody testing, are people reporting that they were sick, or were a lot of them just not symptomatic?”

Diane Ward: “We had some people that said they were tested for strep, they were tested for the flu, in that January or February time frame but they were sicker than a dog and that’s why some of these people went out for antibody testing and surprisingly some of them have been negative, that it wasn’t COVID, or COVID that we are seeing in their testing.

Chairman Bono: “Another interesting fact is that we have hired some school nurses, and I know my neighbor has been a school nurse for 35 years, and they’ve all said that this year alone between October and February they sent home more than they ever had in their entire nursing career. A lot of them were tested for the flu and a lot of them came back negative, it begs the question if this was around a lot longer than we thought and nobody knew what it was. It is just interesting that we got that response from all the nurses that worked in the school districts. We are going to be vigilant with this, we aren’t going to let our guard down. We’ve made it this far, we want to be a model, this Mohawk Valley region wants to be a model for this. We have the chance to that, we have a lot of good Counties behind us and we’re going to do it as a team. Any other comments or questions by the Legislature?”

Legislator Brezinski: “In regards to what we talked about this afternoon, can you get the feel from the majority of us what their thoughts would be as far as continuing the telephone conferences like what we’re doing right now which would possibly be a lot safer for like people such as me being a diabetic. We have to be extremely careful so I’m just wondering if you could run it by the majority of us to see what they really feel we should be doing. Like if some people want to go to the meetings, they can go. If some want to stay home and do it through the telephone, we could do that. I just wanted to see what their thoughts are.”

Chairman Bono: “Sure John. I know I talked to some of the other Legislators, a good portion of them. They are all over the board. I think we are safe doing this right now. What we did consider doing at one point, whether it be the next meeting or the meeting after that, is to maybe split it. Those that want to stay home can stay home and do it via phone or maybe we can get into the Zoom thing; it seems to work this way. What we can do is maybe facilitate a different room, certainly this room may be big enough if we have half of the Legislature come in, we certainly could social distance in this room. But, if you all wanted to come in, we could probably go up to the College and use one of their auditoriums up there. Their small auditorium would definitely fit all of us plus maybe members of the public. We would have to limit it but right now, not too many people are going out anyways. Certainly face to face is always better when we have these discussions. We would like to get back to that at one point. How about we do this: I’ll ask the Legislature to send me an email if you’d like to continue on this way or we can do something else. It is 50/50 right now. I understand your position, John. I know there are some other Legislators that may have some health concerns. We certainly want to protect them and everyone for that matter. Let me know what you want to do via email, and we will take it from there. I will let everyone know which way. The way it looks right now, we will probably continue this. If things lighten up, if our numbers look good, and other businesses open up, I don’t see why we couldn’t do it on a limited basis. Thanks John I appreciate the thought.”

Legislator Russell: “I think we should try to go through June if we can, just to make sure things are looking ok. We do have some Legislators with concerns. So that is just my point.”

Chairman Bono: “The executive order that the Governor has issued will definitely play out in this. If he lifts that, then we will be back in business. We are pretty much under his hand right now. Let’s all be a team in this and get the word out. And again, anybody whether it’s a Legislator, the public, or an employee, just call and we will get you the answer.”

Legislator Donley: “I was just wondering, I see these other Counties where they are handing out dairy and milk. I was wondering if we had thought about doing something like that? I have a contact that would be willing to work with us on it. I know they have worked with Cornell Cooperative Extension in Utica in Oneida County.”

Legislator Schrader: “I’ve already contacted them. We’re looking at probably the first week in June. I already spoke with the person that sets that all up. We’re looking at probably using the College. They’re already doing one for the school drop, but I spoke with them because I really wanted to do one for the public. They said it was probably going to be the first week of June, they’re backed up right now.”

Legislator Russell: “Legislator Schrader, just make sure you don’t forget Old Forge for those kind of things.”

Legislator Schrader: “When we do it, they’re going to advertise it as any Herkimer County resident can stop up and grab the products.”

Legislator Russell: “Well what I’m saying is Webb isn’t going to come down to Herkimer to pick up they’re milk, so maybe we could find a place up here.”

Legislator Schrader: “Is there somewhere up there that could hold a couple hundred gallons in a cooler?”

Legislator Russell: “That I would have to check, but probably.”

Chairman Bono: “Maybe Water Safari or a local restaurant has some coolers you could use. Just an idea.”

Legislator Schrader: “That’s the situation, they bring the whole truck in. Maybe one of us, or a couple of us could run it up to you.”

Legislator Donley: “I can get a truck to go up there and sit, if that need be.”

Legislator Hollum: “Legislator Schrader, I have a huge walk-in cooler that you’re more than welcome to use if you need to.”

Legislator Schrader: “Right. The thing is it would be for that day, we would unload it from the big truck and we could have a couple of guys come up there and disperse it at the same time. They just come in with a big refrigerated truck, that’s what they have done at these other locations. I was just looking at Oneida County doing two of these within two weeks and just

thought we should get into this. I made a phone call to a couple of people in Utica, and they gave me the name of the person to contact.”

Chairman Bono: “Bob, is this through a Co-op that hands this out?”

Legislator Donley: “North East Dairy Association.”

Legislator Schrader: “They are working with Cooperative Extension too Jim. They’re also working with the food banks and Salvation Army. So many places don’t have the availability for the mass amount of people coming in to get the products. I had the Village offer a location and it was just too small.”

Chairman Bono: “Ok you work on it. You and Ray Donley and Pat Russell.”

Legislator Donley: “If you give me a call I can get a refrigerated truck to take 60-80 cases of milk up there and sit in a parking lot somewhere and hand it out.”

Legislator Russell: “Yeah if you can give me a call later. There is a guy up here that has a place in your area that I believe has refrigerated trucks.”

At 7:50 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, June 10, 2020 at 7:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 128

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF SOCIAL SERVICES DEPARTMENT

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report for 2019 of the Department of Social Services, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2019 Annual Report of the Department of Social Services be adopted and placed on file with the Herkimer County Legislature for the year 2019.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 129

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION AWARDING BID FOR PARKING LOT REPAIR AND AUTHORIZING APPROPRIATION OF FUNDS

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

WHEREAS, by letter dated April 16, 2020 this Legislature is advised that by action on April 15, 2020, the Herkimer County Sewer District Board adopted Resolutions to award a bid to Peter Macri Paving in the amount of \$11,500 to repair a portion of the parking lot, and a Resolution to appropriate funding for the project; and

WHEREAS, it is the recommendation of your Committees that the bid be awarded to Peter Macri Paving of Herkimer, New York, in the amount of \$11,500; and

WHEREAS, by letter dated April 22, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that an appropriation of funds is necessary for the repairs to the parking lot of the plant and that there is sufficient funding available for said appropriation; now, therefore be it

RESOLVED, that the bid to repair the parking lot at the Mohawk plant be awarded to Peter Macri Paving of Herkimer, New York, in the amount of \$11,500; and, be it further

RESOLVED, that an appropriation be made as follows:

\$11,500	From: G909, Sewer District Fund Balance
	To: H8130.40000, Sewer, Contractual Expense, Project 79-1

and, be it further

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 130

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

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

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

WHEREAS, by letter dated April 14, 2020, Kristen Snyder-Branner, Director of Community Services, has requested that Dr. Patil be reimbursed for a sum not to exceed \$1,500 annually for professional liability insurance in connection with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and

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

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

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 132

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING AND APPROVING THE TRANSFER OF FUNDS TO REBUILD THE EXISTING GIS MAPPING SYSTEM AT THE 911 CENTER

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

WHEREAS, by letter received April 20, 2020, from John J. Raymond, Director of Emergency Services, this Legislature is advised of a request to rebuild the existing GIS mapping system at the 911 center using SHSP- 19 Grant funds; and

WHEREAS, it is the recommendation of the Director of Emergency Services to hire JPJ Electronics for \$1,000 per day, not to exceed \$50,000, to rebuild the 911 GIS computerized map; and

WHEREAS, by letter dated April 22, 2020, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested a transfer of funds as follows:

\$30,000	From: A3020A.25000, EM Homeland Security, Other Equipment, Project EM02-13
	To: A3020A.44000, EM Homeland Security, Contracted Services, Project EM02-13

now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves the request to rebuild the existing GIS mapping system, and approves the above transfer of funds; and, be it further

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 133

REPORT AND RESOLUTION APPROPRIATING FUNDS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated April 21, 2020, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation in the 2020 budget is needed for payment to the Community Foundation of Herkimer & Oneida Counties for the Herkimer County Community Development Plan; and

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

RESOLVED, that an appropriation be made as follows:

\$43,134.00 FROM: A1990.46000, Contingent Fund, Miscellaneous Expense
TO: A1010.45000, Legislature, Fees for Services

\$43,134.00 FROM: A909, Fund Balance
TO: A1010.45000, Legislature, Fees for Services

and, be it further

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 134

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET IN CONNECTION WITH COVID-19

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

WHEREAS, by letter dated April 17, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the Herkimer County Public Health Department will be receiving a third round of funding through the New York State Department of Health/Health Research Incorporated for Coronavirus (COVID-19) response activities; and

WHEREAS, letter further advises that this award will be an amendment to the Emergency Preparedness contract that is already in place, with the new funding increasing the amount by \$27,883 for expenses and will be available for a 12 month period from 3/15/2020 to 3/15/2021; and

WHEREAS, letter further advises that a second award of \$7,700 is being made available through 9/4/2020 to cover any costs related to COVID-19 dating back to 1/20/20 and that a previous award of \$7,700 was doubled in the last amendment, the \$27,883 will be decreased by that amount to compensate in this transaction; 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: \$25,565
	To: \$45,748

EXPENSE:

A4188.10000-001, Bioterrorism, Salaries, COVID-1	From: \$17,000
	To: \$24,092
A4188.10000-002, Bioterrorism, Overtime (<i>Create</i>), COVID-1	From: \$8,565
	To: \$10,656
A4188.41000, Bioterrorism, Supplies, COVID – 1	From: \$0
	To: \$5,000
A4188.46000, Bioterrorism, Miscellaneous Expense, COVID -1	From: \$0
	To: \$1,000
A4188.86000, Bioterrorism, Health Insurance, COVID -1	From: \$0
	To: \$5,000

Page II

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: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 135

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

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

WHEREAS, by letter dated April 22, 2020, Sheri A. Ferdula, Budget Officer/Purchasing Agent, has advised of additional funding through the New York State Department of Health for the Early Intervention Administration Contract; and

WHEREAS, letter further states the 2020 budget includes the amount of \$25,806 for the E.I. Admin. award, with the new total being \$30,555, it is necessary to amend the 2020 budget to increase the amount; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature a contract with the New York State Department of Health to receive the additional funding; and, be it further

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

REVENUE:

A4059.3449, Early Intervention, State Aid	From: \$153,406
	To: \$158,155

EXPENSE:

A4059.10000-001, Early Intervention, Salaries,	From: \$139,237
	To: \$143,986

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 136

REPORT AND RESOLUTION APPROVING PURCHASE OF VOICE RECORDING SYSTEM AT THE NEW CORRECTIONAL FACILITY

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

WHEREAS, by letter dated April 23, 2020, Sheri A. Ferdula, Budget Officer/Purchasing Agent, has advised a quote has been obtained for a voice recording system at the new correctional facility from ConvergeOne and is comprised of equipment from the NYS Contract, professional services for installation, and a five year maintenance agreement; and

WHEREAS, the letter further advises that the cost for this project will be \$17,642.50; now, therefore be it

RESOLVED, that the purchase of the above described voice recording system for the new correctional facility be purchased through ConvergeOne, comprised of equipment, professional services for the installation, and a five year maintenance agreement, at a cost of \$17,642.50; and, be it further

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 137

REPORT AND RESOLUTION AUTHORIZING BUILDERS RISK COVERAGE FOR THE HERKIMER COUNTY CORRECTIONAL FACILITY PROJECT

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

WHEREAS, by Resolution No. 273 of 2018, authorization was given to purchase Builders Risk insurance coverage for the Herkimer County Correctional Facility in the amount of \$23,150 for a \$25,000,000 policy through Hanover Insurance Company; and

WHEREAS, by letter dated April 29, 2020, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the completion date for the new correctional facility will be extended past the original time frame, with the current insurance for the site only in effect until June 30, 2020; and

WHEREAS, letter further requests to extend the policy for a three month period for an additional cost of \$3,938.00, if the Certificate of Occupancy is obtained before that time the policy will be cancelled and the County will receive a credit for the change; now, therefore, be it

RESOLVED, that authorization is given to extend the policy for a three month period for an additional cost of \$3,938.00, if the Certificate of Occupancy is obtained before that time the policy will be cancelled and the County will receive a credit for the change; and, be it further

RESOLVED, that in all other respects, Resolution No. 237 of 2018 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, and Budget Officer.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 138

REPORT AND RESOLUTION TO PROVIDE THAT THE ADDITIONS TO THE EXISTING AGRICULTURAL DISTRICT FOR THE YEAR 2020 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW IS IN COMPLIANCE WITH THE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

Sponsored by: Committee on Natural Resources

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA), Article 8 of the NYS Environmental Conservation Law and Part 617 of Title 6, New York Code, Rules and Regulations (6NYCRR) to incorporate the consideration of environmental factors into existing planning, review and decision-making processes of local government agencies; and

WHEREAS, SEQRA requires that all agencies determine whether the actions they directly undertake, fund, or approve may have a significant effect on the environment; and

WHEREAS, the Herkimer County Legislature has under consideration requests from 27 landowners pursuant to Resolution 146 of 2004, which established the month of January of each year as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within the existing agricultural district; and

WHEREAS, your Committee has designated the project as an Unlisted Action pursuant to SEQRA and completed an uncoordinated review of the proposed modifications of the agricultural district; and

WHEREAS, your Committee has fully considered, assessed and discussed the information contained within the Environmental Assessment Form; now, therefore, be it

RESOLVED, that based on the information provided and discussed, the Herkimer County Legislature has determined that the proposed action will not result in any significant adverse environmental impacts; and, be it further

RESOLVED, that the reasons supporting this determination are documented on the Environmental Assessment Form, within a packet of attachments to the forms, and on additional supporting documentation; and, be it further

RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the County, as lead agency, hereby issues a negative declaration and directs that the Chairman of the Legislature file and make available the same in accordance with the requirements of SEQRA Law.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 139

REPORT AND RESOLUTION APPROVING ADDITIONS TO THE EXISTING AGRICULTURAL DISTRICT FOR THE YEAR 2020

Sponsored by: Committee on Natural Resources

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for requests by landowners for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, the Herkimer County Legislature has established the month of January as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within the existing agricultural district during the year 2020; and

WHEREAS, Herkimer County received requests from 27 landowners for inclusion of 41 parcels of land with a total of 2866 acres within an existing agricultural district; and

WHEREAS, the Herkimer County Agricultural & Farmland Protection Board determined that said parcels proposed for inclusion in the agricultural district consist predominately of viable agricultural land, and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural districts; and

WHEREAS, the Agricultural & Farmland Protection Board recommended that said parcels listed on the attached list be included in the agricultural district as viable agricultural land; and

WHEREAS, the Herkimer County Legislature held a Public Hearing on May 13, 2020; and

WHEREAS, the Herkimer County Legislature has determined pursuant to the State Environmental Quality Review Act, that the proposed action will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Herkimer County Legislature does hereby approve the 41 parcels listed on the attached list for inclusion in agricultural district as viable agricultural land.

Dated: May 13, 2020.

HERKIMER COUNTY NYS AGRICULTURAL DISTRICTS OPEN ENROLLMENT 2020

FARMID	TAX PARCEL ID#	OWNER	MUNI	ACRES	FARMTYPE	COMMENT
HOE20-5	157.2-2-25.4	GERHARDT, WARD R.	LITTLE FALLS	13.0	DAIRY, HAY, SOYBEANS, OATS	NEW OE 2020
HOE20-6	088.2-1-23.3	GOSHAM, BARBARA	RUSSIA	30.7	HAY, OATS, RYE, MAPLE STRUP, FIREWOOD	ALREADY IN PARCEL, SUBDIVIDED ABRSA CHANGE 2020
HOE20-6	088.1-2-18	GOSHAM, BARBARA	RUSSIA	285.3	HAY, OATS, RYE, MAPLE STRUP, FIREWOOD	ALREADY IN PARCEL, MERGED WITH 088.2-1- 23.1, AREA CHANGE 2020
HOE20-7	084.1-2-3.2	HELMER, MATTHEW	NEWPORT	6.2	DAIRY, HAY	NEW OE 2020
HOE20-7	094.1-2-1	HELMER, MATTHEW	NEWPORT	38.2	DAIRY, HAY	NEW OE 2020
HOE20-7	084.1-2-23.1	HELMER, MATTHEW	NEWPORT	9.8	DAIRY, HAY	NEW OE 2020
HOE20-10	093.3-1-5.16	HERSHBROOK, SAMUEL S.	NEWPORT	109.4	DAIRY, HAY, CORN, OATS, WHEAT, VEGETABLE, LIVESTOCK	NEW OE 2020
HOE20-11	100.1-1-1.1	LINDSAY, RICHARD	NEWPORT	181.9	DAIRY, HAY, EQUINE	NEW OE 2020
HOE20-4	182.2-1-13.1	PERLO, MARK	WARREN	14.2	HAY, SWINE, POULTRY, CHRISTMAS TREE, ORCHARD	NEW OE 2020
HOE20-13	100.1-1-22	MAXWELL, COLLEEN	NEWPORT	26.3	BEEF	NEW OE 2020
HOE20-12	100.1-1-21.4	MAXWELL, THEROCCABLE TRUST	NEWPORT	37.6	HAY, BEEF	NEW OE 2020 COLLEEN MAXWELL TRUSTEE
HOE20-15	083.3-2-38	MILLER, MENNNO & EDNA	RUSSIA	79.8	DAIRY, HAY, CORN, OATS, GREENHOUSE	NEW OE 2020
HOE20-15	083.3-2-14.2	MILLER, MENNNO & EDNA	RUSSIA	5.9	DAIRY, HAY, CORN, OATS, LIVESTOCK, LUMBER, GREENHOUSE	NEW OE 2020
HOE20-16	094.3-2-1	OLSENY, MARIE	NORWAY	24.6	HAY, BEEF	NEW OE 2020
HOE20-17	093.1-1-9.1	PETERSHEIM, SALOMA & BILL	NEWPORT	245.3	SHEEP, LUMBER, GREENHOUSE	NEW OE 2020
HOE20-18	083.4-1-27.17	PETERSHEIM, SAMUEL	NEWPORT	130.2	SHEEP, EQUINE	NEW OE 2020
HOE20-21	099.2-2-7	SWARTZENTRUBER, MOSE	NEWPORT	30.6	DAIRY, HAY, EQUINE	NEW OE 2020
HOE20-23	084.3-1-6.1	TROYER, DAVID J.	NEWPORT	49.7	HAY, SHEEP, EQUINE	NEW OE 2020
HOE20-24	100.4-1-25	TROYER, JOHN J.	FAIRFIELD	12.2	DAIRY, HAY, OATS, EQUINE	NEW OE 2020

HERKIMER COUNTY NYS AGRICULTURAL DISTRICTS OPEN ENROLLMENT 2020

HOE20-24	100.4-1-24	TROYER, JOHN J.	FAIRFIELD	37.4	DAIRY, HAY, OATS, EQUINE	NEW OE 2020
HOE20-24	100.4-1-26.2	TROYER, JOHN J.	FAIRFIELD	26.5	DAIRY, HAY, OATS, EQUINE	NEW OE 2020
HOE20-24	100.4-1-23	TROYER, JOHN J.	FAIRFIELD	41.7	DAIRY, HAY, OATS, EQUINE	NEW OE 2020
HOE20-24	100.4-1-22.4	TROYER, JOHN J.	FAIRFIELD	6.5	DAIRY, HAY, OATS, EQUINE	NEW OE 2020
HOE20-24	100.4-1-22.2	TROYER, JOHN J.	FAIRFIELD	5.2	DAIRY, HAY, OATS, EQUINE	NEW OE 2020
HOE20-24	101.3-1-21	TROYER, JOHN J.	FAIRFIELD	58.6	DAIRY, HAY, OATS, EQUINE	NEW OE 2020
HOE20-25	100.4-2-1	TROYER, JOSE	NEWPORT	121.0	DAIRY, SHEEP, HAY, EQUINE	NEW OE 2020
HOE20-26	099.2-1-33	YODER, DANIEL E. & MATTHE	NEWPORT	138.7	DAIRY, HAY, OATS, WHEAT, BEEF, SHEEP, GOATS	NEW OE 2020
HOE20-1	093.2-2-2	BYLER, NEVIN	NEWPORT	9.3	SHEEP, GOATS, POULTRY, EQUINE	NEW OE 2020
HOE20-2	088.4-3-1	BYLER, UELA	NEWPORT	22.7	SHEEP, EQUINE	NEW OE 2020
HOE20-3	114.3-1-6	COTTON, DONALD F.	LITTLE FALLS (Y)	90.9	DAIRY, HAY, CORN, OATS, LIMBER, FIREWOOD	NEW OE 2020
HOE20-3	114.3-1-7	COTTON, DONALD F.	LITTLE FALLS (Y)	26.6	DAIRY, HAY, CORN, OATS, LIMBER, FIREWOOD	NEW OE 2020
HOE20-3	114.1-1-33.1	COTTON, DONALD F.	LITTLE FALLS (Y)	20.9	DAIRY, HAY, CORN, OATS, LIMBER, FIREWOOD	NEW OE 2020
HOE20-6	093.1-1-5	HERSBERGER, ANDY	NEWPORT	1.1	DAIRY, HAY, CORN, OATS, SHEEP, SWINE, POULTRY, EQUINE	NEW OE 2020
HOE20-6	093.1-1-3.1	HERSBERGER, ANDY	NEWPORT	124.9	DAIRY, HAY, CORN, OATS, SHEEP, SWINE, POULTRY, EQUINE	NEW OE 2020
HOE20-9	094.2-1-8.3	HERSBERGER, JACOB & JONAS	NORWAY	63.5	HAY, EQUINE	NEW OE 2020
HOE20-14	076.4-1-14.1	MILLER, ADEN	RUSSIA	33.6	EQUINE, FIREWOOD, PULPWOOD	NEW OE 2020
HOE20-19	100.1-1-12.1	SALM, LYNN	NEWPORT	311.4	DAIRY, HAY, CORN, ALFALFA	NEW OE 2020
HOE20-19	100.2-2-13.2	SALM, LYNN	NEWPORT	38.2	DAIRY, HAY, CORN, ALFALFA	NEW OE 2020
HOE20-19	100.1-1-8.1	SALM, LYNN	NEWPORT	71.6	DAIRY, HAY, CORN, ALFALFA	NEW OE 2020
HOE20-20	083.4-1-35.5	SWARTZKREIBER, JOHN & AMANDA	RUSSIA	130.0	DAIRY, HAY, CORN, OATS, WHEAT, FIREWOOD, PASTURE	NEW OE 2020

HERKIMER COUNTY NYS AGRICULTURAL DISTRICTS OPEN ENROLLMENT 2020

HO0290-22	1013-1-2-4	TROYER, DAN J.	FAIRFIELD	107.8	DAIRY, HAY, OATS, WHEAT, BEEF, EQUINE	NEW OR 2020
HO0290-22	1004-1-9	TROYER, DAN J.	FAIRFIELD	57.3	DAIRY, HAY, OATS, WHEAT, BEEF, EQUINE	NEW OR 2020
HO0290-27	0681-1-42.2	YODER, SAM	RUSSIA	8.3	DAIRY, POULTRY, EQUINE, FIREWOOD	NEW OR 2020



HERKIMER COUNTY LEGISLATURE

No. 140

REPORT AND RESOLUTION ACCEPTING GRANT, AUTHORIZING CHAIRMAN TO SIGN CONTRACT, ESTABLISHING ACCOUNTS, AND AMENDING BUDGET IN BOARD OF ELECTIONS

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

WHEREAS, by letter dated May 1, 2020, from Kim S. Tranter and Anthony C. Fumarola, Commissioners of Elections, this Legislature is advised of a request to accept grant funding, authorize Chairman to sign the contract, create accounts, and amend the budget in connection with a HAVA CARES COVID-19 Grant in Board of Elections in the amount of \$78,394; and

WHEREAS, by letter dated May 1, 2020, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested accounts be created and the 2020 budget be amended as follows:

REVENUE:

A1450J.4089J, HAVA Cares, Federal Aid	From: \$0
	To: \$78,394

EXPENSE:

A1450J.41000, HAVA Cares, Supplies	From: \$0
	To: \$40,000
A1450J.44000, HAVA Cares, Contracted Service	From: \$0
	To: \$30,000
A1450J.46300, HAVA Cares, Postage and Freight	From: \$0
	To: \$8,394

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the HAVA CARES COVID-19 Grant in the amount of \$78,394, and amends the budget as listed; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign all necessary 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 Commissioners of Elections.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 141

REPORT AND RESOLUTION AUTHORIZING PURCHASE OF ABSENTEE BALLOTS

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

WHEREAS, by letter dated May 7, 2020 from the Commissioners of Elections, this Legislature is advised of the Governor's Executive Order that all eligible voters be mailed an Absentee Ballot Application in the upcoming Primary Election; and

WHEREAS, letter further requests authorization for the purchase of Absentee Applications, Envelopes, and Mailing Services from Phoenix Graphics, 1525 Emerson Street, Rochester, New York 14606, for a cost of \$1.25 per voter plus postage; now, therefore, be it

RESOLVED, that authorization is given for the purchase of Absentee Applications, Envelopes, and Mailing Services from Phoenix Graphics for a cost of \$1.25 per voter plus postage, for the upcoming Primary Election; and, be it further

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 142

REPORT AND RESOLUTION ACCEPTING FUNDING FOR HOME DELIVERED MEALS AND CONGREGATE MEALS FUNDING AND AMENDING THE BUDGET IN OFFICE FOR THE AGING

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

WHEREAS, by letters dated April 22, 2020 from Kathy Fox, Director of the Office for the Aging, this Legislature is advised that the Herkimer County Office for the Aging will be receiving funding for Families First Coronavirus Response Act (FFCRA) Congregate Meals funding in the amount of \$16,953 and Home Delivered Meals funding in the amount of \$32,800, to assist in providing congregate meals and home delivered meals during the COVID-19 pandemic, for the period of March 20, 2020 to September 30, 2021; and

WHEREAS, by letter dated April 22, 2020, from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that it is necessary to amend the 2020 Herkimer County Budget and create accounts in connection with the receipt of said funding; now, therefore, be it

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

REVENUE:

A6774B.4774B, CMC2, Federal Aid	From: \$0
	To: \$16,953

EXPENSES:

A6774B.41000, CMC2, Supplies	From: \$0
	To: \$2,000
A6774B.44000, CMC2, Contracted Services	From: \$0
	To: \$14,453
A6774B.46100, CMC2, Mileage and Travel	From: \$0
	To: \$500

REVENUE:

A6776C.4776C, HDC2, Federal Aid	From: \$0
	To: \$32,800

EXPENSES:

A6776C.41000, HDC2, Supplies	From: \$0
	To: \$5,000
A6776C.44000, HDC2, Contracted Services	From: \$0
	To: \$27,300
A6776C.46100, HDC2, Mileage and Travel	From: \$0
	To: \$500

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 143

REPORT AND RESOLUTION ACCEPTING AWARD AND AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES IN CONNECTION WITH THE FAMILY FIRST PREVENTION ACT (FFPA)

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

WHEREAS, by letter dated April 16, 2020 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of the award of \$12,000 in connection with the Family First Prevention Act (FFPA) to be allocated as \$10,000 for in home therapeutic services pilot and \$2,000 for costs associated with foster parent certification; and

WHEREAS, letter further requests authorization to enter into a contract with Integrated Community Action Network (ICAN) to provide in-home therapeutic services to eligible families through their Services Provision for Individual Needs (SPIN) program; and

WHEREAS, by letter dated April 28, 2020, from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that it is necessary to amend the 2020 Herkimer County Budget and create accounts in connection with the receipt of said funding; now, therefore, be it

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

REVENUE:

A6070B.1989G, RH Foundation	From: \$0
	To: \$12,000

EXPENSES:

A6070B.41000, RH Foundation, Supplies	From: \$0
	To: \$500
A6070B.44000, RH Foundation, Contracted Services	From: \$0
	To: \$11,500

and, be it further

RESOLVED, that this Legislature accepts the award of \$12,000 in connection with the Family First Prevention Act (FFPA) to be allocated as \$10,000 for in home therapeutic services pilot and \$2,000 for costs associated with foster parent certification, as well as authorize a contract to provide in-home therapeutic services to eligible families through their Services Provision for Individual Needs (SPIN) program; and, be it further

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

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

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 144

REPORT AND RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH VNA HOMECARE OPTIONS – NASCENTIA HEALTH OPTIONS, LLC FOR PROVISION OF HOME DELIVERED MEALS

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

WHEREAS, pursuant to Resolution No. 80 of 2018, adopted on March 15, 2018, Herkimer County entered into a Contract with VNA Homecare Options-Nascentia Health Options, LLC, 1050 West Genesee Street, Syracuse, NY 13204, for the provision of home delivered and congregate meals to clients of Herkimer County Office for the Aging; and

WHEREAS, said contract entered into by Herkimer County and VNA Homecare Options-Nascentia Health Options, LLC was for the period of March 1, 2018 through December 31, 2018, with the option for annual renewals upon the same or more favorable terms and conditions; and

WHEREAS, by letter dated April 23, 2020, Kathy L. Fox, Director of the Office for Aging, has advised that Nascentia Health Options, LLC, has requested that said contract be amended to add a Termination without Cause Clause provision; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described amendment to Contract with Nascentia Health Options, LLC to add a Termination without Cause provision; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Auditor, Budget Officer, Director of the Office for the Aging and VNA Homecare Options, LLC-Nascentia Health Options, LLC.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 145

REPORT AND RESOLUTION CONCERNING CHANGE ORDERS ON CONTRACTS FOR ELECTRICAL AND PLUMBING IN CONNECTION WITH CONSTRUCTION OF THE NEW HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by Resolution No. 332 of 2018, this Legislature awarded a contract to Weydman Electric, Inc., 747 Young Street, Tonawanda, New York 14150 in the amount of \$5,924,000.00 for the Electrical and by Resolution No. 311 of 2018, awarded a contract to J & K Plumbing, PO Box 25 Westview Station, Binghamton, New York 13905 in the amount of \$3,205,000.00 for the HVAC in connection with construction of the new Herkimer County Correctional Facility [hereinafter “the Project”]; and

WHEREAS, your Committees have been informed by letter dated April 23, 2020 from Sheri A. Ferdula, Budget Officer, that LaBella Associates, the architect for the Project, has recommended approval of a change order on the contract for the Electrical with Weydman Electric, Inc. increasing the amount of the allowance by \$40,000.00, and a change order on the contract for the HVAC with J & K Plumbing decreasing the amount of the allowance by \$40,000.00, in connection with construction of the new Herkimer County Correctional Facility; and

WHEREAS, the letter dated April 23, 2020 from Sheri A. Ferdula, Budget Officer, further requested that no cost change orders for all of the prime contractors for time extensions be approved; and

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

RESOLVED, that the contract entered into pursuant to Resolution No. 332 of 2018 with Weydman Electric, Inc., for the Electrical in connection with the Project is hereby increased in the amount of \$40,000.00 bringing the total contract amount from \$5,924,000.00 to \$5,964,000.00; and, be it further

RESOLVED, that the contract entered into pursuant to Resolution No. 311 of 2018 with J & K Plumbing, for the HVAC in connection with the Project is hereby decreased in the amount of \$40,000.00 bringing the total contract amount from \$3,205,000.00 to \$3,165,000.00; and be it further

RESOLVED, that no cost change orders for all prime contractors for time extensions are hereby authorized; and, be it further

Page II

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, LaBella Associates, Gilbane Construction, Weydman Electric, Inc., and J & K Plumbing.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 146

REPORT AND RESOLUTION AUTHORIZING AMENDMENT TO RETAINER OF CONSTRUCTION LITIGATION COUNSEL

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

WHEREAS, pursuant to Resolution No. 125 of 2020 adopted on April 23, 2020, Herkimer County entered into a retainer agreement dated April 24, 2020 with construction law attorney, Anthony J. Adams of Adams LeClair, LLP, 28 East Main Street, Suite 1500, Rochester, New York 14614; and

WHEREAS, said retainer agreement related to a response to “notice of claim” letter received in reference to construction of the new Herkimer County Correctional Facility, with said retainer providing for a cap of \$3,500.00 for total fees; and

WHEREAS, by letter dated April 29, 2020, Lorraine H. Lewandrowski, Herkimer County Attorney advised that additional legal issues in relation to construction of the new Herkimer County Correctional Facility have arisen, necessitating an amendment of said retainer agreement to expand the scope of legal services provided and to amend the retainer to a cap in legal fees of \$10,000.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described amendment to retainer letter to address additional legal services with a cap in legal fees of \$10,000.00; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Auditor, Budget Officer, and Anthony J. Adams, Jr., Esq, Adams LeClair, LLP.

Dated: May 13, 2020.



HERKIMER COUNTY LEGISLATURE

No. 147

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 103 OF 2020 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, on April 1, 2020 this Legislature adopted Resolution No. 103 awarding a contract for food services management at the New County Correctional Facility; and

WHEREAS, by communication dated May 13, 2020 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that due to unforeseen circumstances, there is an immediate need for kitchen management at the current facility and it is requested that the contract be expanded at the same pricing to include the current facility; now, therefore, be it

RESOLVED, that Resolution No. 103 of 2020 adopted on April 1, 2020 is amended to include the current correctional facility; and, be it further

RESOLVED, that in all other respects Resolution No. 103 of 2020 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, Sheriff, and Trinity Services Group.

Dated: May 13, 2020.