

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Fourth Day**  
**Wednesday, February 16, 2022**  
**7:00 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:07 p.m.

Chairman Bono called on Scott Scherer, Herkimer County Sheriff, to 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, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Absent: None.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. (1) Frank Spatto, Mohawk – Concerning land access.

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 January 26, 2022 or February 4, 2022. 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. Mr. Schrader requested Communication No. 48 be read.

No. 42 – A communication was received from the Director of Office for the Aging advising of renewal of contract for home delivered meals in West Winfield. Filed.

No. 43 – A communication was received from Capital District OTB submitting financial report for October 2021. Filed.

No. 44 – A communication was received from the Director of Community Services advising of appointment to Board. Filed.

No. 45 – A communication was received from the Personnel Officer submitting GASB 74 & 74 actuarial report. Filed.

No. 46 – A communication was received from the Commissioner of Social Services advising of grant extension. Filed.

No. 47 – A communication was received from the Commissioners of Elections requesting contract with Quadsimia. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 48 – A communication was received from the County Attorney for a request of a proposed settlement. Referred to the Committee on Ways & Means.

No. 49 – A communication was received from the Sheriff submitting November Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 50 – A communication was received from the Sheriff submitting December Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 51 – A communication was received from the Director of Public Health requesting contract for upgrades to webpage. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 52 – A communication was received from the Sewer District submitting reappointment to the Sewer Board. Referred to the Committee on Natural Resources.

No. 53 – A communication was received from the Director of Community Services requesting renewal of contract. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 54 – A communication was received from the Personnel Officer submitting 2021 Annual Report. Referred to the Committee on Ways & Means.

No. 55 – A communication was received from the Personnel Officer submitting 2021 Annual Report for the Stand Alone Workers' Compensation self-insurance coverage. Referred to the Committee on Ways & Means.

No. 56 – A communication was received from the Personnel Officer submitting 2021 Annual Report for Herkimer County Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways & Means.

No. 57 – A communication was received from the Director of Office for the Aging submitting 2021 Annual Report. Referred to the Committee on Human Resources.

No. 58 – A communication was received from the Commissioners of Elections submitting 2021 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 59 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with additional funding in STOP-DWI. Referred to the

Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 60 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with a grant in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 61 – A communication was received from the Director of Emergency Services requesting to purchase an extended service plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 62 – A communication was received from the Director of Emergency Services requesting to purchase an extended service plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 63 – A communication was received from the Director of Emergency Services requesting to purchase an extended service plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 64 – A communication was received from the Director of Office for the Aging requesting contract with DSS for NY Connects Expansion & Enhancement. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 65 – A communication was received from the Director of Office for the Aging requesting to renew contracts for EISEP and Unmet Needs Programs. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 66 – A communication was received from the Director of Office for the Aging requesting to renew contract with Catholic Charities for HIICAP. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 67 – A communication was received from the Director of Public Health requesting contracts in connection with System of Care grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 68 – A communication was received from the County Treasurer requesting to renew contract with Tyler Technologies. Referred to the Committee on Ways & Means.

No. 69– A communication was received from the Sheriff requesting renewal of contract with Black Creek Integrated Systems. Referred to the Committee on Public Safety & Emergency Management, the Committee on County Properties and the Committee on Ways & Means.

No. 70 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Childhood Lead Poisoning Prevention Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 71 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers in the 2021 budget. Referred to the Committee on Ways & Means.

No. 72 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers in the 2022 budget. Referred to the Committee on Ways & Means.

No. 73 – A communication was received from the Sewer District requesting approval of SD Resolution for grant execution. Referred to the Committee on Natural Resources.

No. 74 – A communication was received from the Sewer District requesting approval of SD Resolution for SEQRA on proposed project. Referred to the Committee on Natural Resources.

No. 75 – A communication was received from the Sewer District requesting approval of grant and appropriation of local match. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 76 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of new account and budget amendment for Sewer District. Referred to the Committee on Ways & Means.

No. 77 – A communication was received from the Sewer District Requesting approval of SD Resolution for annual field use lease. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 78 – A communication was received from the Commissioner of Social Services requesting contract for QI Assessment Services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 79 – A communication was received from the Budget Officer/Purchasing Agent requesting a transfer and creation of accounts for purchase in the Department of Social Services. Referred to the Committee on Ways & Means.

No. 80 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds for Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 81 – A communication was received from the Information Services Director requesting purchase of protection software and licenses. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 82 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of accounts in connection with grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 83 – A communication was received from the Sheriff requesting contract with Black Creek Integrated Systems VMS Support Plan and Level One Service Plan. Referred to the Committee

on Public Safety & Emergency Management, the Committee on County Properties and the Committee on Ways & Means.

No. 84 – A communication was received from the Sheriff requesting maintenance contract with Syracuse Time & Alarm. Referred to the Committee on Public Safety & Emergency Management, the Committee on County Properties and the Committee on Ways & Means.

No. 85 – A communication was received from the Personnel Officer requesting to amend the Part-Time Salary Schedule. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 86 – A communication was received from the Soil and Water Conservation District submitting notice of meeting. Filed.

No. 87 – A communication was received from the NYS Dept. of State advising of Filing of Local Law No. 2 for 2022. Filed.

No. 88 – A communication was received from the Budget Officer/Purchasing Agent requesting a transfer and creation of accounts for purchase in Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 89 – A communication was received from the Sheriff requesting MOU between Herkimer County and UPSEU to adjust payroll schedule. Referred to the Committee on Ways & Means.

No. 90 – 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. 91 – A communication was received from the Executive Director of the IDA requesting authorization to submit application and set Public Hearing in connection with an application for Economic Development Assistance to the Office of Community Renewal. Referred to the Committee on County Planning & Development.

No. 92 – A communication was received from the Executive Director of the IDA requesting resolution for approval of a bond for the proposed Nathan Galinsky Apartments Preservation LLC Project. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 93 – A communication was received from the Sheriff requesting to amend Resolution No. 343 of 2021 to add conference in Sheriff's Department. Referred to the Committee on Ways & Means.

No. 94 – A communication was received from the County Attorney with a request for consideration concerning the Herkimer County Assigned Counsel Program. 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. Legislator Ackerman, Chairman of the County Planning & Development Committee, requested to amend Resolution No. 75, changing the Public Hearing from Wednesday, March 16, 2022 at 6:25 p.m. to Friday, March 4, 2022 at 9:20 a.m. Legislator Gaworecki seconded the request. It was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Ackerman, Resolution No. 33 – Resolution No. 42 were handed up; voted on and adopted by voice vote:

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

**Consent Agenda:**

- 33 NAT. RESOURCES: Designating member to Herkimer County Sewer Board
- 34 WAYS & MEANS: Determining officers and employees of Herkimer County required to file financial disclosure forms
- 35 WAYS & MEANS: Adopting Annual Report of the Personnel Office
- 36 WAYS & MEANS: Adopting Annual Report of Former HC Self-Insurance Plan
- 37 WAYS & MEANS: Adopting Annual Report of HC Stand Alone Workers' Comp. Plan
- 38 HUMAN RES.: Adopting Annual Report of Herkimer County OFA
- 39 ADMIN./VETS.: Adopting Annual Report of Herkimer County BOE
- 40 WAYS & MEANS: Authorizing transfers of funds in 2021 budget
- 41 WAYS & MEANS: Authorizing transfers of funds in 2022 budget
- 42 NAT. RESOURCES: Appointing representatives of Intercounty Legislative Committee of the Adirondacks



**HERKIMER COUNTY LEGISLATURE**

No. 33

**REPORT AND RESOLUTION DESIGNATING MEMBER TO HERKIMER COUNTY SEWER BOARD**

**Sponsored by: Committee on Natural Resources**

WHEREAS, the Legislature of the County of Herkimer, by Resolution No. 100 for the year 1993 determined that the administrative body of the Herkimer County Sewer District should thereafter be a five member board and appointed the chief executive officer or their designees of the Villages of Ilion, Frankfort and Mohawk and the Towns of Frankfort and German Flatts as members of said Board; and

WHEREAS, by letter dated January 18, 2022, from the Herkimer County Sewer District, your Committee has been advised that the Village of Mohawk has submitted a letter for

reappointment of George Cryer as designee of the village for a five year term; now, therefore, be it

RESOLVED, that George Cryer is hereby reappointed to the Herkimer County Sewer District Board for a five year term to expire on February 28, 2027; and, be it further

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

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 34

### **RESOLUTION DETERMINING OFFICERS AND EMPLOYEES OF HERKIMER COUNTY REQUIRED TO FILE FINANCIAL DISCLOSURE FORMS**

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

WHEREAS, the Herkimer County Ethics Law requires this Legislature to adopt an updated list of officers and employees required to file annual financial disclosure forms; and

WHEREAS, that updated list, referred to as Schedule A, is attached; now, therefore, be it

RESOLVED, that all officers and employees on the attached list be required to file a financial disclosure form as set forth in Local Law No. 3 for the year 1990; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Ethics Board and each officer and employee who holds a position named on Schedule A.

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 35

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FEES RECEIVED BY THE HERKIMER COUNTY PERSONNEL OFFICE**

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

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2021, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2021 be approved and placed on file with the Herkimer County Legislature.

Dated: February 16, 2022.



## **HERKIMER COUNTY LEGISLATURE**

No. 36

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF-INSURANCE PLAN**

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

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2021, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2021 be adopted and filed with the Herkimer County Legislature.

Dated: February 16, 2022.



## **HERKIMER COUNTY LEGISLATURE**

No. 37

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE WORKERS' COMPENSATION PLAN**

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

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2021, respectfully reports that we have examined said report, inquired into the subject matter thereof,



and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2021 be adopted and filed with the Herkimer County Legislature.

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 38

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE AGING

**Sponsored by: Committee on Human Resources**

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 2021, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2021.

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 39

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY BOARD OF ELECTIONS

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2021, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Board of Elections be

approved and placed on file with the Herkimer County Legislature for the year 2021.

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 40

### REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2021 BUDGET

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

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated January 26, 2022, submitting requests for transfers of funds in the 2021 budget, reports that we have examined said communication, inquired into the subject matters thereof, and recommend that said transfers be made and offer the following Resolution:

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

\$969.00	From	A1040.86000, Clerk of the Legislature, Health Insurance
	To:	A1040.10000-001, Clerk of the Legislature, Salaries
\$16,108.00	From:	A1362.46000, Tax Advertising, Miscellaneous
	To:	A1185.45000, Coroner, Fees for Services
\$1,200.00	From:	A1340.44000, Budget & Purchasing, Contracted
	To:	A1340.10000-001, Budget & Purchasing, Salaries
\$1,783.00	From:	A1355.86000, Real Property, Health Insurance
	To:	A1355.10000-001, Real Property, Salaries
\$3,429.00	From:	A1165.10000-001, DA, Salaries
	To:	A1420.10000-001, County Attorney, Salaries
\$10,890.00	From:	A1450A.25000, BOE, Other Equipment
	To:	A1450A.10100, BOE, Temporary Employees
\$12,000.00	From:	A1450A.25000, BOE, Other Equipment
	To:	A1450A.44000, BOE, Contracted
\$20,000.00	From:	A3140.44000-404, Probation, Electronic Monitoring
	To:	A1990.46000, Contingent Fund, Miscellaneous Expense
\$112,345.00	From:	A6100.40000, Medicaid, Contractual
	To:	A2490.44000, Community College Tuition, Contracted
\$600.00	From:	A3020.25000, Public Safety, Other Equipment
	To:	A3020.10000-001, Public Safety, Salaries

\$28,440.00 From: A1410.10000-001, County Clerk, Salaries  
 To: A3021.10000-002, Public Safety Communications, OT  
 \$25,000.00 From: A1410.86000, County Clerk, Health Insurance  
 To: A3021.86000, Public Safety Communications, Health Ins.  
 \$2,091.00 From: A3111.10100, Navigation, Temporary Employees  
 To: A3111.43000, Navigation, Insurance  
 \$33,800.00 From: A3110.10100-021, Sheriff, Perm. Part Time  
 To: A3112.10000-001, SPO/SRO, Salaries  
 \$65,845.00 From: A3140.10000-001, Probation, Salaries  
 To: A3150.10100-021, Jail, Perm. Part Time  
 \$35,169.00 From: A6100.40000, Medicaid, Contractual  
 To: A3150.42000, Jail, Utilities  
 \$310,587.00 From: A6100.40000, Medicaid, Contractual  
 To: A3170.44000, Correctional Institution, Contracted  
 \$446.00 From: A6510.46100-745, Veterans, Conferences  
 To: A6510.10000-001, Veterans, Salaries  
 \$9,760.00 From: A6775.10100, Aging, CSE, Temporary Employees  
 To: A6774.10000-001, Aging, CI, Salaries  
 \$2,088.00 From: A6775.10100, Aging, CSE, Temporary Employees  
 To: A6776.10100, Aging, CII, Temporary Employees  
 \$1,098.00 From: A6775.10100, Aging, CSE, Temporary Employees  
 To: A6776A.10000-001, Aging, SNAP, Salaries  
 \$209.00 From: A7320.10100, Youth Summer Work, Temp. Emp.  
 To: A7320.43000, Youth Summer Work, Insurance  
 \$4,200.00 From: D5020.10000-001, County Road Engineering, Salaries  
 To: D5010.10000-001, County Road Admin, Salaries  
 \$35,600.00 From: D5110.10100, County Road, Maintenance, Temp. Emp.  
 To: D5110.41000-801, County Road, Maintenance, Asphalt  
 \$2,900.00 From: A6010.86000, DSS Admin, Health Insurance  
 To: A3020.86000, Public Safety, Health Insurance  
 \$19,600.00 From: A6010.86000, DSS Admin, Health Insurance  
 To: A3021.86000, Public Safety Communications, Health Ins.  
 \$8,350.00 From: A3110.86000, Sheriff, Health Insurance  
 To: A3112.86000, SPO/SRO Health Insurance  
 \$915.00 From: A4010.86000, Public Health, Health Insurance  
 To: A4059.86000, Early Intervention, Health Insurance  
 \$3,470.00 From: A6774.86000, Aging, CI, Health Insurance  
 To: A6775.86000, Aging, CSE, Health Insurance  
 \$4,361.00 From: A6774.86000, Aging, CI, Health Insurance  
 To: A6776.86000, Aging, CII, Health Insurance  
 \$7,060.00 From: A6774.86000, Aging, CI, Health Insurance  
 To: A6786A.86000, Aging, NY Connects  
 \$4,072.00 From: CD6292.44000, ETA Adult Training, Contracted

To: CD6292.10000-001, ETA, Adult Training, Salaries  
\$577 From: CD6291.44000, ETA TANF, Contracted  
To: CD6291.86000, ETA TANF, Health Insurance

and, be it further

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

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 41

### REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2022 BUDGET

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

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated January 26, 2022, submitting requests for transfers of funds in the 2022 budget, reports that we have examined said communication, inquired into the subject matters thereof, and recommend that said transfers be made and offer the following Resolution:

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

\$5,000.00	From:	A6776E.10000-001, HDC5, Salaries
	To:	A6776E.10100, HDC5, Temp Employees
\$8,194.00	From:	A6776E.44000, HDC5, Contracted
	To:	A6776E.10100, HDC5, Temp Employees
\$4,600.00	From:	A6776E.44000, HDC5, Contracted
	To:	A6776E.46100, HDC5, Milage
\$390.00	From:	A6776E.81000, HDC5, Retirement
	To:	A6776E.83000, HDC5, Social Security
\$110.00	From:	A6776E.83500, HDC5, Medicare
	To:	A6776E.41000, HDC5, Supplies
\$18,816.00	From:	A6774C.10000-001, CMC6, Salaries
	To:	A6774C.10100, CMC6, Temp Employees
\$1,000.00	From:	A6774C.41000, CMC6, Supplies
	To:	A6774C.10100, CMC6, Temp Employees

\$1,000.00 From: A6774C.46000, CMC6, Miscellaneous  
 To: A6774C.10100, CMC6, Temp Employees  
 \$187.00 From: A6774C.83500, CMC6, Medicare  
 To: A6774C83000, CMC6, Social Security  
 \$837.00 From: A6774C.86000, CMC6, Health Insurance  
 To: A6774C.10100, CMC6, Temp Employees  
 \$580.00 From: A6774C.86000, CMC6, Health Insurance  
 To: A6774C.44000, CMC6, Contracted  
 \$777.00 From: A6774C.86000, CMC6, Health Insurance  
 To: A6774C.83000, CMC6, Social Security  
 \$13,917.00 From: A6776F.10000-001, HDC6, Salaries  
 To: A6776F.44000, HDC6, Contracted  
 \$1,000.00 From: A6776F.46000, HDC6, Miscellaneous  
 To: A6776F.44000, HDC6, Contracted  
 \$4,824.00 From: A6776F.46100, HDC6, Mileage  
 To: A6776F.44000, HDC6, Contracted  
 \$1,008.00 From: A6776F.86000, HDC6, Health Insurance  
 To: A6776F.44000, HDC6, Contracted  
 \$160.00 From: A6776F.81000, HDC6, Retirement  
 To: A6776F.44000, HDC6, Contracted  
 \$374.00 From: A6776F.83000, HDC6, Social Security  
 To: A6776F.44000, HDC6, Contracted  
 \$312.00 From: A6776F.83500, HDC6, Medicare  
 To: A6776F.44000, HDC6, Contracted  
 \$328.00 From: A6776F.84000, HDC6, Workers Comp  
 To: A6776F.44000, HDC6, Contracted  
 \$75.00 From: A6776F.86500, HDC6, Dental  
 To: A6776F.44000, HDC6, Contracted  
 \$26,163.00 From: A6772J.10000-001, SSC6, Salaries  
 To: A6772J.10100, SSC6, Temp Employees  
 \$4,132.00 From: A6772J.41000, SSC6, Supplies  
 To: A6772J.10100, SSC6, Temp Employees  
 \$1,000.00 From: A6772J.46000, SSC6, Misc. Expense  
 To: A6772J.10100, SSC6, Temp Employees  
 \$1,298.00 From: A6772J.46100, SSC6, Mileage  
 To: A6772J.10100, SSC6, Temp Employees  
 \$1,500.00 From: A6772J.46100, SSC6, Mileage  
 To: A6772J.83000, SSC6, Social Security  
 \$486.00 From: A6772J.81000, SSC6, Retirement  
 To: A6772J.83000, SSC6, Social Security  
 \$1,842.00 From: A6772J.86000, SSC6, Health Insurance  
 To: A6772J.83000, SSC6, Social Security  
 \$120.00 From: A6772J.86500, SSC6, Dental

	To:	A6772J.83000, SSC6, Social Security
\$123.00	From:	A6772J.46100, SSC6, Mileage
	To:	A6772J.83500, Medicare
\$304.00	From:	A6772J.81000, SSC6, Retirement
	To:	A6772J.84000, SSC6 Workers Comp 3847
\$3,847.00	From:	A6786F.10000-001, FCC6, Salaries
	To;	A6786F.44000, FCC6, Contracted
\$1,153.00	From:	A6786F.86000, FCC6, Health Insurance
	To:	A6786F.44000, FCC6, Contracted
\$90.00	From:	A6786F.81000, FCC6, Retirement
	To:	A6786F.83000, FCC6, Social Security
\$42.00	From:	A6786F.83500, FCC6, Medicare
	To:	A6786F.83000, FCC6, Social Security
\$158.00	From:	A6786F.83500, FCC6, Medicare
	To:	A6786F.41000, FCC6, Supplies
\$160.00	From:	A6786F.84000, FCC6, Workers Comp
	To:	A6786F.41000, FCC6, Supplies
10,000.00	From:	A1320.10000-001, Auditor, Salaries
	To:	A1320.10100, Auditor, Temp Employees

and, be it further

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

Dated: February 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 42

### RESOLUTION APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

**Sponsored by: Committee on Natural Resources**

WHEREAS, the Counties of Essex, Hamilton, Herkimer, Lewis, St. Lawrence, Washington, Saratoga, Clinton, Franklin, Fulton and Warren have established the Intercounty Legislative Committee of the Adirondacks for the purpose, among other things, of initiating and taking positions on pending legislation affecting the Adirondack area; now, therefore, be it

RESOLVED, that Vincent J. Bono, Chairman of the Herkimer County Legislature, Patrick E. Russell, Vice-Chairman of the Herkimer County Legislature, Legislator Raymond Johnson, Legislator Bob D. Hollum, Legislator William Weakley, Legislator Ray Donley, and James W. Wallace, County Administrator, be and hereby are designated as representatives of the County of Herkimer on the Intercounty Legislative Committee of the Adirondacks during the year 2022; and, be it further

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

Dated: February 16, 2022.

The Chairman continued with the Regular Agenda.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 43 sponsored by the Committee on Public Safety & Emergency Management, the Committee on County Properties and the Committee on Ways & Means approving maintenance contract for Fire Control System at the Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 43

### **REPORT AND RESOLUTION APPROVING MAINTENANCE CONTRACT FOR FIRE CONTROL SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY**

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

WHEREAS, by letter dated January 24, 2022 from Sheriff Scott F. Scherer, this Legislature is advised of a request to approve a maintenance contract with Syracuse Time & Alarm Co., Inc. for the testing and maintenance of the fire control system at the Herkimer County Correctional Facility for the period 2/1/2022 through 1/31/2023 at a cost of \$6,490.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Syracuse Time & Alarm Co., Inc. for the testing and maintenance of the fire control system at the Herkimer County Correctional Facility, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 2/1/2022 through 1/31/2023 at an annual cost of \$6,490.00; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized under the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Herkimer County Sheriff, and Syracuse Time & Alarm Co., Inc.

Dated: February 16, 2022.

On motion of Mr. Donley, seconded by Mr. Campione, Report and Resolution No. 44 sponsored by the Committee on Public Safety & Emergency Management, the Committee on County Properties and Committee on Ways & Means Approving renewal of agreement for VMS Support Plan and Level One Services Plan at the Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 44

### **REPORT AND RESOLUTION APPROVING RENEWAL OF AGREEMENT FOR VMS SUPPORT PLAN AND LEVEL ONE SERVICES PLAN AT HERKIMER COUNTY CORRECTIONAL FACILITY**

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

WHEREAS, by letter dated January 24, 2022 from Sheriff Scott F. Scherer, this Legislature is advised of a request to renew an agreement with Black Creek Integrated Systems support plan for VMS support and Level One Service Plan for the period 1/1/2022 through 12/31/2022 at a cost of \$29,890.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for VMS support and Level One Service Plan at the Herkimer County Correctional Facility with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further



RESOLVED, that said agreement shall be for the period of 1/1/2022 through 12/31/2022 at an annual cost of \$29,890.00; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized under the same or more favorable terms and conditions; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Keeler, seconded by Mr. Weakley, Report and Resolution No. 45 sponsored by the Committee on Public Safety & Emergency Management, the Committee on County Properties and the Committee on Ways & Means approving renewal of agreement for Sallyport Inmate Management system at Herkimer County Correctional Facility was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 45

### **REPORT AND RESOLUTION APPROVING RENEWAL OF AGREEMENT FOR SALLYPORT INMATE MANAGEMENT SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY**

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

WHEREAS, by Resolution No. 19 of 2009 this Legislature authorized an agreement to accept the SallyPort Jail Management System at the Herkimer County Correctional Facility; which agreement has been renewed by resolution thereafter; and

WHEREAS, by letter dated January 24, 2022 from Sheriff Scott F. Scherer, this Legislature is advised of a request to renew said agreement for support services for the SallyPort Inmate Management System for the period 1/1/2022 through 12/31/2022 at a cost of \$22,528.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for support services for the SallyPort Inmate Management System at the Herkimer County

Correctional Facility with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 1/1/2022 through 12/31/2022 at an annual cost of \$22,528.00; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized under the same or more favorable terms and conditions; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Gaworecki, Report and Resolution No. 46 sponsored by the Committee on Ways & Means approving a MOU in connection with agreement with UPSEU in the Sheriff's Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 46

### **REPORT AND RESOLUTION IN CONNECTION WITH AGREEMENT WITH UNITED PUBLIC SERVICE EMPLOYEES UNION**

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

WHEREAS, by Resolution No. 207 of 2021, this Legislature ratified the Collective Bargaining Agreement by and between the County of Herkimer and the United Public Service Employees Union (Herkimer County Sheriff's Department Unit) for the period of January 1, 2021 to December 31, 2023; and

WHEREAS, by letter dated January 25, 2022 from Herkimer County Sheriff Scott F. Scherer, this Legislature is advised of a request to approve an adjustment to pay periods utilized for the part time and full time employees of the Herkimer County Sheriff's Department who are represented by the United Public Service Employees Union (hereinafter "UPSEU"); and

WHEREAS, this Legislature is advised that the adjustment of pay periods will provide for an amended payroll schedule to commence in March of 2022; and

WHEREAS, your Committee has considered said request and recommend said change; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is further authorized to sign the Memorandum of Understanding with the UPSEU to transition all Herkimer County Sheriff's employees represented by the UPSEU to the same paycheck schedule during March of 2022; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Herkimer County Sheriff and the President of the Herkimer County Sheriff's Department Unit of the UPSEU.

Dated: February 16, 2022

On motion of Mr. Weakley, seconded by Mr. Keeler, Report and Resolution No. 47 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting funding, amending budget, creating accounts and authorizing contract in Public Health was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 47

### **REPORT AND RESOLUTION ACCEPTING FUNDING, AMENDING BUDGET, CREATING ACCOUNTS, AND AUTHORIZING CONTRACT IN THE PUBLIC HEALTH DEPARTMENT**

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

WHEREAS, by communication dated January 27, 2022, Christina Cain, Director of Public Health, has advised that the New York State Department of Health/Health Research, Inc., has advised that funding has been allocated for the department in the amount of \$980,544 as a part of a new NYS Public Health Corps Fellowship Program for the period from September 1, 2021 through July 31, 2022; and

WHEREAS, letter further requests authorization to enter into a contract with Herkimer County HealthNet to administer the program, with all salary, benefit, and contractual expenses to be paid by HealthNet and billed back to the County for submission to the grant, pending County Attorney approval; and

WHEREAS, by letter dated January 27, 2022 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2022 Budget and create accounts in order to utilize the funding; now, therefore, be it

RESOLVED, that the 2022 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4189P.4489P, PH Fellowship, Federal Aid	From: \$0
		To: \$980,544
Expense Account:	A4189P.10000-001, PH Fellowship, Salaries	From: \$0
		To: \$49,000
	A4189P.44000, PH Fellowship, Contracted	From: \$0
		To: \$931,544

and, be it further

RESOLVED, that the above described funding is accepted, and authorization is given for the Chairman of this Legislature to sign contracts in connection with this funding for the period September 1, 2021 through July 31, 2022; and, be it further

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

Dated: February 16, 2022.

Chairman Bono dispensed with the regular session to welcome the students in attendance who are participating in the Cornell Cooperative Extension Government Intern Program and asked them to introduce themselves and the school districts they represented. Chairman Bono also asked the County Attorney to give a brief description of the difference between a voice vote and a roll call vote.

The Chairman continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Hollum, Report and Resolution No. 48 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract for funding of Childhood Lead Poisoning Prevention Screening Services Grant and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



# HERKIMER COUNTY LEGISLATURE

No. 48

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

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

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

WHEREAS, by letter dated January 27, 2022, from Christina Cain, Director of Public Health, your Committees have been advised of a request to renew said agreement with the New York State Department of Health for the term commencing October 1, 2021 and ending September 30, 2022 with funding for this period to be in the amount of \$38,000.00; and

WHEREAS, by letter dated January 27, 2022, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2021 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for the period October 1, 2021 through September 30, 2022 in the total amount of \$38,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document in the amount of \$38,000.00 with the New York State Department of Health to continue the Childhood Lead Poisoning Prevention Program in the County of Herkimer for the period October 1, 2021 to September 30, 2022, unless terminated in accordance with the terms thereof; and, be it further

RESOLVED, that the 2021 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4189L.4489B, Lead Prevention, State Aid	From:	\$0
		To:	\$38,000
Expense Account:	A4189L.10000-001, Lead Prev., Salaries	From:	\$0
		To:	\$17,000
	A4189L.41000, Lead Prev., Supplies	From:	\$0
		To:	\$3,500
	A4189L.42100, Lead Prev., Phone	From:	\$0
		To:	\$1,100
	A4189L.43000, Lead Prev., Insurance	From:	\$0

	To:	\$1,000
A4189L.44000, Lead Prev., Contracted	From:	\$0
	To:	\$2,000

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A4189L.44000-370, Lead Prev., Copier	From:	\$0
	To:	\$600
A4189L.44000-521, Lead, Rent	From:	\$0
	To:	\$2,000
A4189L.46100, Lead Prev., Mileage	From:	\$0
	To:	\$300
A4189L.46300, Lead Prev., Postage	From:	\$0
	To:	\$500
A4189L.86000, Lead Prev., Health Ins.	From:	\$0
	To:	\$10,000

and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Weakley, seconded by Mr. Hollum, Report and Resolution No. 49 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contracts in connection with System of Care Grant in Public Health was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 49

### REPORT AND RESOLUTION AUTHORIZING CONTRACTS IN CONNECTION WITH SYSTEM OF CARE GRANT IN PUBLIC HEALTH

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

WHEREAS, Public Health received a System of Care Grant which runs from September 30, 2019 through September 29, 2023 and it is necessary to enter into agreements in order to fulfill the requirements and goals of the grant; and

WHEREAS, by letter dated January 27, 2022 from Christina Cain, Director of Public Health, she has requested to enter into the following contracts:

1. **ICAN** – Steve Bulger, 310 Main St., Utica, NY 13501
  - \$199,000 for the following positions: 2 full time Community Service Providers, 1 Case Management Supervisor, 1 full time Behavioral Health Clinician.
2. **The Paige Group** – Carrie McMurray, Paige Marketing Communications Group, Inc., 258 Genesee Street, Suite 204, Utica, NY 13502
  - \$40,000 for continuation and implementation of the Social Marketing campaign, as required by SAMHSA.
3. **The Root Farm** – Rodger Pape, 2860 King Road, Sauquoit, NY 13456
  - \$5,000 for therapeutic recreational activities for youth and families served through the System of Care Project.

now, therefore, be it

RESOLVED, that the above contracts are approved contingent upon County Attorney approval, and that the Chairman is authorized to execute said contracts; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health, Commissioner of Social Services, Director of the Youth Bureau, and the above listed agencies.

Dated: February 16, 2022.

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 50 sponsored by the Committee on Information Services and the Committee on Ways & Means authorizing purchase of licenses and support for protection software in Information Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 50

### REPORT AND RESOLUTION AUTHORIZING PURCHASE OF LICENSES AND SUPPORT FOR PROTECTION SOFTWARE IN THE INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by letter dated February 10, 2022, Kathy Wright, Director of Information Services, has requested authorization to purchase a three year agreement for licenses and support

for protection software through SHI International Corp. of 290 Davidson Ave., Somerset, NJ 08873 at a total cost of \$12,919.21; and

WHEREAS, letter further advises that the software offers antivirus, threat detection, and response along with investigative options, with the cost breakdown as follows:

Falcon Endpoint Protection for 360 users - 3 years	\$11,779.20
Express support	\$ 1,140.01

now, therefore, be it

RESOLVED, that the above purchase of a three year agreement for licenses and support for protection software through SHI International Corp. at a total cost of \$12,919.21 is hereby approved; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Manno, seconded by Mr. Schrader, Report and Resolution No. 51 sponsored by the Committee on Information Services and the Committee on Ways & Means approving renewal of Maintenance Plan for phone system and appropriating funds in Information Services was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 51

### REPORT AND RESOLUTION RENEWING MAINTENANCE PLAN FOR THE COUNTY PHONE SYSTEM IN THE INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by letter dated January 28, 2022, Kathy Wright, Director of Information Services, has requested authorization to renew the maintenance and support plan for the County phone system through ConvergeOne of 421 Broad Street, Utica, NY for a total cost of \$68,570.73, to cover the phones, switches, software, and voicemail licenses for three years; and



WHEREAS, by letter dated January 26, 2022, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that the budget included \$22,075, which means an appropriation in the 2022 budget is necessary to add the remaining \$46,495.73; 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:

\$46,495.73                      From: A878, Computer Reserve  
    To: A1685.44000, Telephone, Contracted Services

now, therefore, be it

RESOLVED, that the above renewal of the maintenance and support plan for the County phone system for a three year period through ConvergeOne at a total cost of \$68,570.73 is hereby approved; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Hollum, Report and Resolution No. 52 sponsored by the Committee on Natural Resources and the Committee on Ways & Means authorizing use of surplus grounds of the Herkimer County Sewer District by local sports organizations was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 52

### REPORT AND RESOLUTION AUTHORIZING USE OF SURPLUS GROUNDS OF THE HERKIMER COUNTY SEWER DISTRICT BY LOCAL SPORTS ORGANIZATIONS

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

WHEREAS, by letter dated January 20, 2022, Robin Nalaskowski, Secretary to the Sewer District Board, has requested consideration and approval of Herkimer County Sewer District Resolution HCSD-2022-04 adopted by the Sewer District Board on January 19, 2022; and

WHEREAS, the Herkimer County Sewer District by said Resolution HCSD-2022-04 authorizes use of its surplus grounds by the Central Valley Little League, Mohawk Girls Youth Softball, the Mohawk Valley Hockey Club, or any of their successor organizations pursuant to an annual written lease agreement to be signed by the Herkimer County Sewer District Board Chairman, or in his absence, the Vice-Chair; and

WHEREAS, by Resolution No. 229 of 1990, the Herkimer County Legislature approved a resolution of the Herkimer County Sewer District to allow use of surplus lands owned by the Sewer District for activities sponsored by the Village of Mohawk; and

WHEREAS, by Resolution No. 118 of 1995, the Herkimer County Legislature approved Herkimer County Sewer District Resolution HCSD-91-15 allowing Mohawk Little League to make use of Sewer District property to further the concept of the Environmental Protection Agency's "multiple use" policies encouraging recreational uses pursuant to the Water Pollution Control Act Section 201(f); now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Resolution HCSD-2022-04 of January 19, 2022 authorizing a written lease agreement with the above designated organizations, or any of their successor organizations; and, be it further

RESOLVED, that said leases with the above organizations shall be on an annual basis, will allow installation of a storage shed which shall be removed at tenants' costs upon expiration of the lease term, shall designate parking areas for tenants' use, shall provide for sufficient insurance and such other terms and conditions as approved by the Herkimer County Attorney and the Herkimer County Sewer District Attorney; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Donley, seconded by Mr. Manno, Report and Resolution No. 53 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution to execute a grant was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 53

**REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2022-01 TO EXECUTE A GRANT**

**Sponsored by: Committee on Natural Resources**

WHEREAS, by letter dated January 20, 2022, from Robin Nalaskowski, Secretary to the Herkimer County Sewer Board, she has advised that the Sewer District Board has adopted HCSD-2022-01, a Resolution authorizing James Rathbun, Chief Plant Operator to execute a Grant Agreement with the NYS Environmental Facilities Corporation for the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects through the EPG Program; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Board resolution HCSD-2022-01 authorizing James Rathbun, Chief Plant Operator to execute a Grant Agreement with the NYS Environmental Facilities Corporation for the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects through the EPG Program; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 54 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution determining SEQRA was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



**HERKIMER COUNTY LEGISLATURE**

No. 54

**REPORT AND RESOLUTON APPROVING SEWER DISTRICT RESOLUTION HCSD-2022-03 DETERMINING SEQRA**

**Sponsored by: Committee on Natural Resources**

WHEREAS, by letter dated January 20, 2022, from Robin Nalaskowski, Secretary to the Herkimer County Sewer Board, she has advised that the Sewer District Board has adopted HCSD-2022-03, a Resolution to meet the requirements for SEQRA for the initial planning for a Clean Water Revolving Fund (CWSRF) water quality project related to sludge disposal and applicability of a digester at the site; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Board resolution HCSD-2022-03, to meet the requirements for SEQRA for studies related to sludge production, disposal and the applicability of the addition of either an aerobic or anaerobic digester at the site necessary to seek further financing through the CWSRF program; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Keeler, Report and Resolution No. 55 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution authorizing grant and appropriating a local match was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 55

### **REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2022-02 AUTHORIZING GRANT AND APPROPRIATING A LOCAL MATCH**

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

WHEREAS, by letter dated January 20, 2022, from Robin Nalaskowski, Secretary to the Herkimer County Sewer Board, she has advised that the Herkimer County Sewer District Board has adopted HCSD-2022-02, a Resolution to accept a grant through the New York State Environmental Facilities Corporation for the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects through the EPG program, which requires a 20% local match; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Board resolution HCSD-2022-02, to accept a grant through the New York State Environmental Facilities Corporation for the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects through the EPG program, which requires a 20% local match; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No. 56 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving amending budget and creating an account in connection with Sewer District Grant was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 56

### REPORT AND RESOLUTION AMENDING BUDGET AND CREATING AN ACCOUNT IN CONNECTION WITH SEWER DISTRICT GRANT

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

WHEREAS, by letter dated January 26, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, request is being made to create an account and amend the budget in connection with a grant through the New York State Environmental Facilities Corporation, which will be used for engineering services to evaluate a digester system for the plant, which requires a 20% local match; now, therefore, be it

RESOLVED, that the Herkimer County Legislature creates an account and amends the 2022 budget as follows:

G8130B.3902B, Sewer EPA, State Aid	From: \$0
	To: \$30,000
G8130B.44000, Sewer, EPA, Contracted	From: \$0
	To: \$30,000

and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 57 sponsored by the Committee on Ways & Means authorizing execution of annual accounting system maintenance agreement was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 57

**REPORT AND RESOLUTION AUTHORIZING EXECUTION OF ANNUAL ACCOUNTING SYSTEM MAINTENANCE AGREEMENT**

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

WHEREAS, by Resolution No. 173 of 2003, a contract was awarded to New World Systems for financial management payroll software, training, support service and maintenance on said software package; and

WHEREAS, by Resolution No. 144 of 2016, a maintenance agreement was executed with Tyler Technologies, who acquired New World Systems; and

WHEREAS, by letter dated January 27, 2022, Kim Enea, County Treasurer, has requested that a new agreement be entered into with Tyler Technologies for the year 2022 at a cost of \$50,179.76; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Tyler Technologies, 5101 Tennyson Pkwy., Plano, TX 75024 for financial management software, payroll software, support service, and maintenance, for the year 2022 in the amount of \$50,179.76; and, be it further

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

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

Dated: February 16, 2022.

On motion of Mr. Schrader, seconded by Mr. Hollum, Report and Resolution No. 58 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract renewal for HIICAP funding for the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



**HERKIMER COUNTY LEGISLATURE**

No. 58

**REPORT AND RESOLUTION AUTHORIZING CONTRACT RENEWAL FOR HIICAP FUNDING FOR THE HERKIMER COUNTY OFFICE FOR THE AGING**

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

WHEREAS, by Resolution No. 76 of 2007, authorization to submit an application for the implementation of the HIICAP (Health Insurance Information, Counseling & Assistance Program) through the Herkimer County Office for the Aging was approved; and

WHEREAS, said Program is funded 100%, with no local match, has been administered on a subcontract basis by Catholic Charities of Herkimer County, and has been renewed each year thereafter; and

WHEREAS, by letter dated January 27, 2022, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to renew the contract with Catholic Charities of Herkimer County for administration of the Health Insurance Information, Counseling & Assistance Program (HIICAP) for the program year commencing April 1, 2022 through March 31, 2023, with funding currently anticipated at \$36,000; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer as follows:

- HIICAP (Health Insurance Information, Counseling & Assistance Program) for the 4/1/2022– 3/31/2023 program year; funding is currently anticipated at \$36,000.00;
- Program shall be subcontracted to Catholic Charities of Herkimer County with said contract amount not to be more than the level of funding that is made available to the County of Herkimer;

and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into an annual renewal of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Weakley, seconded by Mr. Russell, Report and Resolution No. 59 sponsored by the Committee on Human Resources and the Committee on Ways & Means concerning services in connection with the Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 59

### REPORT AND RESOLUTION CONCERNING SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

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

WHEREAS, pursuant to resolutions previously adopted, contracts were authorized between the Herkimer County Office for the Aging and At Home Care, Inc., the Department of Social Services, Home Aide Services for Central Adirondacks (HASCA), Home Health Care Partners, Resource Center for Independent Living (RCIL), Plan It Staffing, and U.S. Care Systems for said contractors to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs Programs; and

WHEREAS, by communication dated January 27, 2022, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into renewal of the aforesaid contracts for the period of April 1, 2022 to March 31, 2023, with funding at 75/25%, with the Office for the Aging to provide the local match for aide services for At Home Care, RCIL, HASCA, U.S. Care Systems, Home HealthCare Partners, Plan It Staffing, and with DSS to provide the local match for their allocation; now, therefore, be it

#### RESOLVED:

1. That contracts be entered into between the Herkimer County Office for the Aging and the agencies listed to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs as follows:
  - At Home Care will be contracted for aide services estimated to be \$78,000; the hourly rate will be \$29.72 for Level 1 and \$30.01 for Level 2; \$133.24 RN Assessment (Initial assessment, 180 reassessment, change in condition).
  - DSS will provide case management services for up to a total amount of \$70,000 with state aid reimbursement of 75% up to \$52,500.
  - Home Health Care Partners will be contracted for aide services estimated to be \$88,000; the hourly rate is \$29.00.
  - HASCA will be contracted for aide services estimated to be \$25,330; the hourly rate will be \$28.00.
  - Resource Center for Independent Living will be contracted for services estimated to be \$97,330; the hourly rates will be \$23.00.
  - U.S. Care Systems will be contracted for services estimated to be \$40,000; the hourly rate will be \$26.62.
  - Plan It Staffing will be contracted for services estimated to be \$25,000; the hourly rates will be \$22.95.
2. That all contracts shall state that payments are based on availability of state aid and will include a 60 day cancellation of contract clause;



3. That the Chairman of this Legislature is hereby authorized to execute said agreements on behalf of the County of Herkimer;

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4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging, Commissioner of Social Services, At Home Care, Inc., Home Health Care Partners, Home Aide Service of the Central Adirondacks, Resource Center for Independent Living, U.S. Care System, and Plan It Staffing.

Dated: February 16, 2022.

On motion of Mr. Malta, seconded by Mr. Donley, Report and Resolution No. 60 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract between OFA and DSS for NY Connects Expansion & Enhancement was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 60

### **REPORT AND RESOLUTION AUTHORIZING CONTRACT BETWEEN OFFICE FOR THE AGING AND DEPARTMENT OF SOCIAL SERVICES FOR NY CONNECTS EXPANSION & ENHANCEMENT (FORMERLY KNOWN AS THE BALANCING INCENTIVE PROGRAM – BIP)**

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

WHEREAS, by letter dated January 28, 2022 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with the Department of Social Services in the amount of \$20,000 to provide services in connection with the implementation of the NY Connects Expansion & Enhancement (formerly known as the Balance Incentive Program), which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement; and

WHEREAS, said contract will be for the period from April 1, 2022 through March 31, 2023 and will be 100% funded by NY Connects Expansion & Enhancement; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period April 1, 2022 through March 31, 2023, between the Herkimer County Office for the Aging and the Herkimer County Department of Social Services, for the provision services in connection with the implementation of NY Connects Expansion & Enhancement, which is a program to assist

individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement, in the amount of \$20,000; and, be it further

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

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

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

Dated: February 16, 2022.

On motion of Mr. Keeler, seconded by Mr. Malta, Report and Resolution No. 61 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing purchase, transferring funds and creating accounts in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 61

### REPORT AND RESOLUTION AUTHORIZING PURCHASE, TRANSFERRING FUNDS AND CREATING ACCOUNTS IN THE OFFICE FOR THE AGING

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

WHEREAS, by letter dated February 2, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised Kathy Fox, Director of Office for the Aging, is requesting funding from the American Rescue Plan monies to purchase a software system called Serv Tracker provided by Accessible Solutions to help streamline internal processes, the software will cost \$6,000 to purchase which includes integration with the systems currently utilized; and

WHEREAS, said letter further advises that a transfer within the 2022 budget and the creation of new accounts will be necessary; now, therefore, be it



WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through JPJ Electronics at a cost of \$6,960.00; now, therefore, be it

RESOLVED, that this Legislature approves the request to purchase an extended service plan for Ceragon 6-Gigahertz Microwave System through JPJ Electronics at a cost of \$6,960.00, by utilizing SICG-20 grant funding, with the service plan in effect from April 1, 2022 to March 31, 2023; 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: February 16, 2022.

On motion of Mr. Donley, seconded by Mr. Malta, Report and Resolution No. 63 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding for the purchase of an extended service plan for Zetron MAX-Call Taker 9-1-1 telephone system and software was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 63

### **REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING FOR THE PURCHASE OF AN EXTENDED SERVICE PLAN FOR THE ZETRON MAX-CALL TAKER 9-1-1 TELEPHONE SYSTEM AND SOFTWARE**

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

WHEREAS, by letter received January 26, 2022, from John J. Raymond, Director of Emergency Services, this Legislature is advised of a request to purchase an extended service plan for the Zetron MAX-Call Taker 9-1-1 telephone system and software by utilizing State Homeland Security Program Grant (SHSP-21) funding, County Project EM02-15; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through JPJ Electronics at a cost of \$9,110.00; now, therefore, be it

RESOLVED, that this Legislature approves the request to purchase an extended service plan for the Zetron MAX-Call Taker 9-1-1 telephone system and software through JPJ Electronics at a cost of \$9,110.00, by utilizing State Homeland Security Program Grant (SHSP-

21) funding, with the service plan in effect from April 1, 2022 to March 31, 2023; 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: February 16, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Malta, Report and Resolution No. 64 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding for the purchase of an extended service plan for Zetron CAD System and software was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 64

### **REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING FOR THE PURCHASE OF AN EXTENDED SERVICE PLAN FOR THE ZETRON COMPUTER AIDED DISPATCH (CAD) SYSTEM AND SOFTWARE**

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

WHEREAS, by letter received January 26, 2022, from John J. Raymond, Director of Emergency Services, this Legislature is advised of a request to purchase an extended service plan for the Zetron Computer Aided Dispatch (CAD) system and software by utilizing State Homeland Security Program Grant (SHSP-21) funding, County Project EM02-15; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through Zetron Inc., at a cost of \$21,250.00; now, therefore, be it

RESOLVED, that this Legislature approves the request to purchase an extended service plan for the Zetron Computer Aided Dispatch (CAD) system and software through Zetron Inc., at a cost of \$21,250.00, by utilizing State Homeland Security Program Grant (SHSP-21) funding, with the service plan in effect from April 1, 2022 to March 31, 2023; 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 Zetron Inc.

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Donley, Report and Resolution No. 65 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means Accepting BRIC Grant funding, authorizing e-signature, creating project number and amending 2022 budget in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 65

### **REPORT AND RESOLUTION ACCEPTING BRIC GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT NUMBER, AND AMENDING 2022 BUDGET**

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

WHEREAS, by letter dated January 20, 2022, John J. Raymond, Director of Emergency Services has advised of the receipt of the Building Resilient Infrastructure and Communities (BRIC) Grant for FY2020 in the amount of \$67,500.00, with a local match of \$22,500.00, for the period of December 18, 2021 to December 17, 2024, which will be used to update Herkimer County's Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, by letter dated January 26, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2022 budget and create a new project; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2022 budget be amended as follows:

A3020B.4989, Hazard Mitigation, Proj: EM04-2	From: \$0
	To: \$67,500
A3020B.44000, Hazard Mitigation, Proj: EM04-2	From: \$0
	To: \$67,500

and, be it further

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

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



authorizing agreement for the provision of QI Assessment Services in DSS was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 67

### REPORT AND RESOLUTION AUTHORIZING AGREEMENT FOR THE PROVISION OF QI ASSESSMENT SERVICES IN THE DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated January 28, 2022, from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that the Family First Preventive Services Act (FFPSA) became effective in new York State on September 29, 2021, with a major part of this focusing on the restrictions in obtaining federal reimbursement for any child placed in a Qualified Residential Treatment Program (QRTP); and

WHEREAS, in order to be able to optimize reimbursement under these conditions, the law requires a Social Services district to have a Qualified Individual (QI) complete an assessment for the purpose of determining whether the child's needs can be met with family members, a foster home, or in some other specified setting, which must be done prior to placement or within thirty days after placement; and

WHEREAS, letter further advises that it is necessary to enter into a contract for this service and requests an agreement with Sonya Piersma, LMSW License # 097807, dba SP Clinical Services, Oriskany, NY 13424, for the provision of QI assessment services as required under the FFPSA, with the financial terms to be established as outlined in the attached Scope of Service, but any eligible expenses that can be billed to any third party health insurance shall be done prior to the county issuing payment, and that any bill presented to Herkimer County for payment shall be net of health insurance applied, for the period of February 1, 2022 through December 31, 2022; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described agreement between the Department of Social Services and Sonya Piersma for the period of February 1, 2022 through December 31, 2022, with the financial terms to be established as outlined in the attached Scope of Service, but any eligible expenses that can be billed to any third party health insurance shall be done prior to the county issuing payment, and that any bill presented to Herkimer County for payment shall be net of health insurance applied; and, be it further



RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals of said agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Keeler, seconded by Mr. Gaworecki, Report and Resolution No. 68 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting additional grant funds and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 68

### REPORT AND RESOLUTION ACCEPTING ADDITIONAL GRANT FUNDS AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING

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

WHEREAS, Resolution No. 88 of 2021, accepted funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$11,000 for the period of October 1, 2020 through September 30, 2021; and

WHEREAS, by letter dated January 12, 2022, from Michael L. Edwards, STOP-DWI Coordinator, he has requested this Legislature accept additional funding in the amount of \$1,939.16; and

WHEREAS, by letter dated January 26, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2021 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the 2021 Herkimer County Budget is hereby amended as follows:

Revenue:	A3315A.4389G, Impaired Driving Det., DWI Crackdown, Project SD02-8	From: \$11,000 To: \$12,939.16
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Expense: A3315A.44000, Impaired Driving Det., From: \$11,000  
Contracted Services, Project SD02-8 To: \$12,939.16

and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 69 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving contract in connection with funding in Mental Health was handed up; voted on and adopted by voice vote:

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



## HERKIMER COUNTY LEGISLATURE

No. 69

### REPORT AND RESOLUTION APPROVING CONTRACT IN CONNECTION WITH FUNDING IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

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

WHEREAS, by letter dated January 27, 2022, Kristen Snyder-Branner, Director of Community Services, has advised of receipt of State funding in the amount of \$60,000 to provide substance abuse services to the Herkimer County Correctional Facility through a contract with the Beacon Center, 210 South Main Street, Herkimer, NY 13350; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the Beacon Center, 210 South Main Street, Herkimer, NY 13350, upon the above terms; and, be it further

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

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Gaworecki, Report and Resolution No. 70 sponsored by the Committee on Ways & Means amending Resolution No. 296 of 2021 was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 70

### REPORT AND RESOLUTION AMENDING RESOLUTION NO. 296 OF 2021

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

WHEREAS, Resolution No. 269 of 2021 adopted the hourly salary schedule; and

WHEREAS, by letter dated January 27, 2022, John Raymond, Director of Emergency Services, has requested to amend the Part-Time Salary Schedule to increase the salary of the part-time Public Safety Telecommunicators; and

WHEREAS, by letter dated February 7, 2022, Steven Billings, Personnel Officer, requests to amend the hourly salary schedule to change the rate of part-time Public Safety Telecommunicators from \$16.01 per hour to \$16.87 per hour, also authorizing that the hourly pay rate of the part-time Public Safety Telecommunicators will stay equal with the hourly base rate of full-time Public Safety Telecommunicators when pay raises are given to the full-time Public Safety Telecommunicators, and be effective as of February 26, 2022; and

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

RESOLVED, that the hourly salary schedule be amended to change the rate of part-time Public Safety Telecommunicators from \$16.01 per hour to \$16.87 per hour, also authorizing that the hourly pay rate of the part-time Public Safety Telecommunicators will stay equal with the hourly base rate of full-time Public Safety Telecommunicators when pay raises are given to the full-time Public Safety Telecommunicators, and be effective as of February 26, 2022; 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: February 16, 2022.

On motion of Mr. Schrader, seconded by Mr. Hollum, Report and Resolution No. 71 sponsored by the Committee on County Properties approving Temporary Incidents of Ownership was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 71

### **REPORT AND RESOLUTION AUTHORIZING THE HERKIMER COUNTY TREASURER ON BEHALF OF HERKIMER COUNTY TO RE-COMMENCE AND/OR COMMENCE IN REM TAX FORECLOSURE PROCEEDINGS AGAINST THREE PARCELS PURSUANT TO REAL PROPERTY TAX LAW AND AUTHORIZING THE COMMENCEMENT OF AN ACTION TO OBTAIN TEMPORARY INCIDENTS OF OWNERSHIP PURSUANT TO THE PROVISIONS OF ENVIRONMENTAL CONSERVATION LAW ARTICLE 56 TO CONDUCT ENVIRONMENTAL RESTORATION INVESTIGATIONS**

#### **Sponsored by: Committee on County Properties**

WHEREAS, the premises known as Tax Map Parcel No. 119.27-1-13 and 14 in the Town of Frankfort were the subject of the In Rem proceedings brought by the County of Herkimer for the tax year 2008; and

WHEREAS, the premises known as Tax Map Parcel No. 119.27-1-15 in the Town of Frankfort [hereafter "the premises"] were the subject of the In Rem proceedings brought by the County of Herkimer for the tax year 2009; and

WHEREAS, the Properties Committee has recommended that the Herkimer County Attorney and the Herkimer County Treasurer on behalf of Herkimer County re-commence and/or commence an In Rem Tax Foreclosure against the above three parcels as set forth below pursuant to the provisions of Article 11 of the Real Property Tax Law and within those proceedings seek to obtain temporary incidents of ownership pursuant to Environmental Conservation Law Article 56 of the three (3) parcels as follows:

TOWN	ADDRESS	OWNER	TAX MAP PARCEL #
Frankfort	4360 Acme Road	Cassella	119.27-1-13
Frankfort	Acme Road	Cassella	119.27-1-14
Frankfort	4356 Acme Road	Balch	119.27-1-15

WHEREAS, in order to gain access to the three (3) parcels for the purposes of conducting environmental restoration investigations, the County Attorney is requesting authority to re-

commence and/or commence In Rem Tax Foreclosures proceedings in the appropriate Herkimer County Court and authority to seek to obtain temporary incidents of ownership of the aforementioned three (3) parcels; now, therefore, be it

RESOLVED, the County Attorney and the County Treasurer are authorized to re-commence and/or commence In Rem Tax Foreclosure proceedings against the above three (3) parcels pursuant to RPTL Article 11 and within those proceedings seek to obtain temporary

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incidents of ownership of the three (3) parcels for the purposes of conducting an environmental restoration investigation pursuant to the provisions of ECL Article 56; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to enter into an agreement with the Herkimer County Industrial Development Agency [hereafter “IDA”] who will retain appropriate environmental firms to conduct environmental restoration investigations pursuant to ECL Article 56, with said agreement to further provide that the cost of such environmental restoration investigations to be paid for by the IDA; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Auditor, County Property Agent, Herkimer County Industrial Development Agency and the Town of Frankfort.

Dated: February 16, 2022.

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 72 sponsored by the Committee on Ways & Means amending Resolution No. 343 of 2021 was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 72

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 343 OF 2021 AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2022**

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

WHEREAS, on December 15, 2021 this Legislature adopted Resolution No. 343 authorizing attendance at conferences for municipal officers and employees during the year 2022; and

WHEREAS, by communication dated February 10, 2022 from Herkimer County Sheriff Scott F. Scherer, request is made to add attendance to the NYAATCP Training Virtual Conference for the Inmate Services Coordinator to attend, and further requests said Resolution No. 343 of 2021 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 343 adopted on December 15, 2021 be amended under Sheriff and Undersheriff, to add attendance at the NYAATCP Training Virtual Conference; and, be it further

RESOLVED, that in all other respects Resolution No. 343 of 2021 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 Herkimer County Sheriff.

Dated: February 16, 2022

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 73 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing renewal of agreement with Strategic Development Specialists was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 73

### **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 January 27, 2022, 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, 2023; and

WHEREAS, the cost for such services will be \$6,000 per month plus incidentals, totaling \$3,000 annually, for the period April 5, 2022 through April 4, 2023, with all other terms of the agreement to remain in force and effect; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into a renewal of the agreement with Strategic Development Specialists, P.O. Box 205, Syracuse, New York 13214, to provide professional services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, at a cost of \$6,000 per month plus incidentals, totaling \$3,000 annually, to extend the contract for the period April 5, 2022 through April 4, 2023, 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: February 16, 2022.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 74 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending contract for oversight of Indigent Representation and approval of Office Space was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 74

### **REPORT AND RESOLUTION AMENDING CONTRACT FOR OVERSIGHT OF INDIGENT REPRESENTATION AND APPROVAL OF OFFICE SPACE**

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

WHEREAS, Resolution No. 17 of 2020 approved a contract with Keith D. Bowers, dba Enhanced Representation, Inc., to provide services in connection with indigent representation improvements; and

WHEREAS, by letter dated January 7, 2022 from Lorraine Lewandrowski, County Attorney, this legislature has been notified of a communication from Mr. Bowers requesting an amendment to said contract to increase the annual compensation for administration of the program from \$30,000 to \$45,000 per year for year 3 retroactive to February 1, 2020, adjusted for subsequent years as approved by ILS; and

WHEREAS, Mr. Bowers also requested the County enter into a lease agreement for office space at 401 East German Street, Herkimer, New York to house a Resource Center for the Assigned Counsel Program at a cost not to exceed \$1,200 per month inclusive of utilities; and

WHEREAS, the Indigent Legal Services Grant Program has approved the increase in compensation and the cost for the lease within the grant budget and will reimburse the County at 100% for both; now, therefore, be it

RESOLVED, that the Chairman be authorized to execute an amended contract with Enhanced Legal Representation, Inc., increasing the annual compensation for the program from \$30,000 to \$45,000 per year for year 3 retroactive to February 1, 2020, adjusted for subsequent years as approved by ILS; and, be it further

RESOLVED, that the Chairman be authorized to execute a lease agreement for office space at 401 East German Street, Herkimer, New York at a cost not to exceed \$1,200 per month inclusive of utilities, pending County Attorney approval; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the New York State Office of Indigent Legal Services, Herkimer County Treasurer, Auditor, Budget Officer, County Attorney and Keith D. Bowers, dba Enhanced Representation, Inc.

Dated: February 16, 2022.

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 75, as amended, sponsored by the Committee on County Planning & Development setting Public Hearing in connection with an application for CDBG-CV funding was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 75

### **RESOLUTION SETTING A PUBLIC HEARING IN CONNECTION WITH AN APPLICATION FOR CDBG-CV FUNDING TO THE OFFICE OF COMMUNITY RENEWAL**

**Sponsored by: Committee on County Planning & Development**

WHEREAS, by request from John Piseck, Executive Director of the Herkimer County IDA, this Legislature is advised of the proposed submission of a Community Development Block Grant – CV (COVID-19 Response) program application in the amount of \$500,000 to support microenterprises as well as small businesses with fewer than 25 employees that have been



impacted by the pandemic and that have been unable to access other state and federal resources;  
and

WHEREAS, these CDBG grant funds will establish a grant program to support microenterprises and small businesses in Herkimer County; and

WHEREAS, it is necessary that a public hearing be held to hear public comment in regards to this application; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to execute all documents and certifications required as part of the submission of the application; and, be it further

RESOLVED, a Public Hearing will be held by the Legislature on March 16, 2022 at 6:25 p.m. in the Legislature Chambers of the County Office Building in the Village of Herkimer, New York, for the purpose of hearing public comment on the aforesaid application for assistance to the Office of Community Renewal; and, be it further

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

Dated: February 16, 2022.

**AMENDMENT:** In the second Resolved Clause, March 4, 2022 at 9:20 a.m. in place of March 16, 2022 at 6:25 p.m.

On motion of Mr. Gaworecki, seconded by Mr. Ackerman, Report and Resolution No. 76 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means approving issuance of certain obligations by Herkimer County IDA to finance a certain project for Nathan Galinsky Apartments LLC was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 76

**RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A CERTAIN PROJECT FOR NATHAN GALINSKY APARTMENTS PRESERVATION LLC.**

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

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

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the “Enabling Act”) and Chapter 410 of the 1970 Laws of New York, as amended, constituting Section 898 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”), the County Legislature of Herkimer County, New York (the “County Legislature”) has heretofore appointed the Chairman and members of Herkimer County Industrial Development Agency (the “Issuer”) and has duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, pursuant to the Act, the Issuer is authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Act to issue its revenue bonds to finance the cost of acquisition, construction and installation of one or more “projects” (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in October, 2021, Nathan Galinsky Apartments Preservation LLC., a limited liability company duly organized and existing under the laws of the State of New York (the “Institution”) submitted an application (the “Application”) to the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Institution, said Project consisting of the following: (A) (1) the acquisition of an interest or interests in a parcel of land located at 105 Protection Avenue in the Village of Herkimer, Herkimer County, New York (the “Land”), together with the existing building located on the Land and known as the Nathan Galinsky Apartments (the “Facility”); (2) the reconstruction and renovation of the Facility, and (3) the acquisition and installation thereon and therein of various machinery and equipment (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute a housing facility containing approximately 112 apartment units to be owned and operated by Nathan Galinsky Housing Development Fund Company, Inc., as nominee for and on behalf of the Institution, and any other directly or indirectly related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of taxable and/or tax-exempt revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay all or a portion of the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to equal approximately \$15,000,000, but in any event not to exceed \$27,000,000 (the “Obligations”); (C) the payment of a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; (D) the granting of certain other “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including exemption from certain sales taxes, deed transfer taxes, mortgage recording taxes and real property taxes (collectively with the Obligations, the “Financial Assistance”); and (E) the lease (with an obligation to

purchase) or sale of the Project Facility to the Institution or such other person as may be designated by the Institution and agreed upon by the Issuer; and

WHEREAS, the Issuer has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the “SEQR Act”) regarding the potential environmental impact of the Project; and

WHEREAS, the Institution has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 142(a)(7) of the Code; and

WHEREAS, the County Legislature of Herkimer County, New York (the “County Legislature”) has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Obligations is approved by the “applicable elected representative” of Herkimer County, New York after the Issuer has held a public hearing on the nature and location of the Project Facility and the issuance of the Obligations; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the Issuer on November 17, 2021 (the “Public Hearing Resolution”), the Executive Director of the Issuer (A) caused notice of public hearing of the Issuer (the “Public Hearing”) pursuant to Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), to hear all persons interested in the Project and the Financial Assistance being contemplated by the Issuer with respect to the Project, to be mailed on January 12, 2022 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located, (B) caused notice of the Public Hearing to be posted on January 12, 2022 on a bulletin board located at Herkimer County Office Buildings located at 109 Mary Street, in the Village of Herkimer, Herkimer County, New York, and on the Issuer’s website (C) caused notice of the Public Hearing to be published on January 12, 2022 in Times Telegram, a newspaper of general circulation available to the residents of the Village of Herkimer, Herkimer County, New York, (D) conducted the Public Hearing on January 25, 2022 at 8:00 o’clock a.m., local time at the offices of the Issuer located at 420 East German Street, Suite 101A in the Village of Herkimer, Herkimer County, New York, and (E) prepared a report of the Public Hearing (the “Hearing Report”) which fairly summarized the views presented at said Public Hearing and distributed same to the members of the Issuer and to the County Legislature; and

WHEREAS, pursuant to Section 147(f) of the Code, the County Legislature desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes; and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Obligations nor any other obligation of the Issuer shall be a debt of Herkimer County, New York, nor shall Herkimer County, New York be liable thereon; now, therefore, be it

RESOLVED by the County Legislature of Herkimer County, New York, as follows:

Section 1. The County Legislature hereby finds and determines that:

(A) The members of the County Legislature have reviewed the Public Hearing Report with respect to the issuance of the Obligations and the Financial Assistance.

(B) It is desirable and in the public interest for the Issuer to issue and sell the Obligations upon such terms and conditions as the Issuer shall determine, all for the purpose of paying all or a portion of the costs of the Initial Project.

Section 2. In consequence of the foregoing, for the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 142(a)(7) of the Code, the County Legislature, as the elected legislative body of Herkimer County, New York, hereby approves the issuance by the Issuer of the Obligations in the amount not to exceed \$27,000,000 for the purpose of paying all or a portion of the costs of the Project, subject to the conditions provided in Section 3 hereof.

Section 3. The Obligations shall provide that they are not and shall never be a debt of the State of New York or Herkimer County, or any political subdivision thereof, and neither the State of New York nor Herkimer County shall be liable thereon. The Obligations, and the premium (if any) and interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the sale or other disposition of the Issuer's interest in the Project and from any other security granted to the holders of the Obligations by, or on behalf of, the Institution.

Section 4. This resolution shall take effect immediately.

and, be it further

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

Dated: February 16, 2022.

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by Legislators. The following Legislators made a comment: Legislator Ackerman, Legislator Bono, Legislator Russell, Legislator Gaworecki, Legislator Swartz.

At 7:48 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, March 16, 2022 at 7:00 p.m.

Jennifer L. Williams, Deputy Clerk