

MINUTES
Herkimer County Legislature
Second Quarter – First Day
Wednesday, April 6, 2022
2:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 2:02 p.m.

Chairman Bono called on James W. Wallace, Jr., County Administrator, 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, Campione, Russell, Shaw, Weakley (15).

Absent: Ackerman, Donley (2).

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. There were no appearances.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of March 16, 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. There were no requests.

No. 132 – A communication was received from US Congresswoman Claudia Tenney submitting notice of approval for the Eastern Mohawk Valley Regional transmission main project. Filed.

No. 133 – A communication was received from the County Attorney’s Office submitting Notice of Claim. Filed.

No. 134 – A communication was received from the County Sheriff submitting January Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 135 – A communication was received from the Executive Director of the Chamber of Commerce recommending appointment to the Workforce Development Board. Referred to the Committee on County Planning & Development.

No. 136 – A communication was received from the County Sheriff requesting renewal of contract for Sprinkler and Fire Suppression at the jail. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 137 – A communication was received from the Highway Superintendent requesting approval of 2022 capital construction project. Referred to the Committee on Highways.

No. 138 – A communication was received from the Highway Superintendent requesting renewal of Shared Services Agreement with NYS DOT. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 139 - A communication was received from the Budget Officer/Purchasing Agent requesting to amend the 2022 budget in connection with funding in the Public Health Department. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 140 – A communication was received from the Budget Officer/Purchasing Agent requesting to amend the 2022 budget in connection with funding in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 141 – A communication was received from the STOP-DWI Coordinator requesting appointments to Herkimer County Ignition Interlock Committee. Referred to the Committee on Public Safety & Emergency Management.

No. 142 – A communication was received from the County Sheriff requesting renewal of contract for boat storage. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 143 – A communication was received from the Veterans' Service Agency Director requesting amendment to Resolution No. 342 of 2021 to increase dues in Veterans' Service Agency. Referred to the Committee on Ways & Means.

No. 144 – A communication was received from the Budget Officer/Purchasing Agent requesting approval to create an account and amend 2022 budget in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 145 – A communication was received from the STOP-DWI Coordinator requesting approval of Victim Impact Program. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 146 – A communication was received from the Commissioners of Elections requesting purchase in Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 147 – A communication was received from the Personnel Officer requesting position in Herkimer County Attorney's Office for Indigent Legal Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 148 - A communication was received from the Budget Officer/Purchasing Agent requesting approval for architectural services at 911 Center. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 149 – A communication was received from the Governor’s Traffic Safety Committee approving 2022 STOP-DWI Plan. Filed.

No. 150 – A communication was received from Better Together submitting invitation to Autism Awareness event. Filed.

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

The Chairman continued with the Regular Agenda.

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 102 sponsored by the Committee on County Planning & Development concerning membership on the Workforce Development Board was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 102

REPORT AND RESOLUTION CONCERNING MEMBERSHIP ON THE WORKFORCE DEVELOPMENT BOARD

Sponsored by: Committee on County Planning and Development

WHEREAS, by letter dated March 4, 2022, the Herkimer County Chamber of Commerce has recommended an appointment of a representative from the private business sector in Herkimer County to the Workforce Development Board; now, therefore, be it

RESOLVED, that the following individual is hereby appointed to the Workforce Development Board of Herkimer, Madison, and Oneida Counties as a representative from the private business sector of Herkimer County for the terms as listed:

Appointment:

Renee Emery, DC Operations Manager
Tractor Supply Company
Frankfort, NY DC 771
1938 Country Mile
Frankfort, NY 13340
Term: 3/3/2022 – 6/30/2025

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of Employment & Training, Chairman of the Workforce Development Board, Chairman of the Madison County Board of Supervisors, Oneida County Executive and the above listed appointee.

Dated: April 6, 2022.

On motion of Mr. Weakley, seconded by Mr. Schrader, Report and Resolution No. 103 sponsored by the Committee on Ways & Means amending Resolution No. 342 of 2021 authorizing payment of dues for municipal officers and employees during the year 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 103

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 342 OF 2021 AUTHORIZING PAYMENT OF DUES 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. 342 authorizing payment of dues for municipal officers and employees during the year 2022; and

WHEREAS, by communication dated March 11, 2022, from Richard Louis, Jr., Veterans' Service Agency Director, request is made to increase the annual membership fee for the County Veterans Service Officers' Association Dues from \$30 to \$40, and further requests said Resolution No. 342 of 2021 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 342 adopted on December 15, 2021 be amended under Veterans' Service Officer, to increase the annual membership for the County Veterans Service Officers' Association Dues from \$30 to \$40; and, be it further

RESOLVED, that in all other respects Resolution No. 342 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 Veterans' Service Agency Director.

Dated: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Shaw, Report and Resolution No. 104 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract with NYS Department of Health for Immunization Action Plan, creating project, and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 104

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN, CREATING PROJECT, AND AMENDING BUDGET

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

WHEREAS, by communication dated March 18, 2022, Christina Cain, Director of Public Health, has advised that the New York State Department of Health has forwarded a contract for renewal of the grant agreement for the Immunization Action Plan for the period from April 1, 2022 through March 31, 2023, with the contract amount being \$31,307.00; and

WHEREAS, by letter dated March 18, 2022 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2022 Budget and create a new project in connection with the receipt of the amount of \$31,307.00 under said grant; now, therefore, be it

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

Revenue Account:	A4189A-4489A-PH06-19	From:	\$0
		To:	\$31,307
Expense Account:	A4189A-10000-001 PH06-19	From:	\$0
	A4189A-41000-PH06-19	To:	\$21,575
		From:	\$0
	A4189A-44000-521-PH06-19	To:	\$1,150
		From:	\$0
	A4189A-46100-PH06-19	To:	\$2,000
		From:	\$0
	A4189A-81000-PH06-19	To:	\$350
		From:	\$0

A4189A-86000-PH06-19

To: \$3,116
From: \$0
To: \$3,116.

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to e-sign a renewal of the contract between the County of Herkimer and the New York State Department of Health to receive \$31,307.00 in funding for the Immunization Action Plan for the period April 1, 2022 through March 31, 2023; and, be it further

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

Dated: April 6, 2022.

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No. 105 sponsored by the Committee on County Properties and the Committee on Ways & Means authorizing renewal of agreement for maintenance and testing on the sprinkler/fire suppression system at Correctional Facility was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 105

REPORT AND RESOLUTION AUTHORIZING A RENEWAL OF AGREEMENT FOR MAINTENANCE AND TESTING ON THE SPRINKLER/FIRE SUPPRESSION SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated March 21, 2022 from Scott Scherer, Herkimer County Sheriff, this Legislature is advised of a request to renew an agreement with Condor Fire Sprinkler Company to perform the required maintenance and testing on the sprinkler/fire suppression system at the correctional facility; and

WHEREAS, the cost for this service will be \$5,911.00 for a one year period; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement on behalf of the County of Herkimer with Condor Fire Sprinkler Company to provide maintenance and testing on the sprinkler/fire suppression system at the correctional facility at a

cost of \$5,911.00 for a one year period, with the terms and conditions of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 106 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving boat housing contract was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 106

REPORT AND RESOLUTION APPROVING BOAT HOUSING CONTRACT

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

WHEREAS, the Herkimer County Sheriff's Department maintains a boat patrol on the Fulton Chain of Lakes and has need to dock one patrol boat in the Old Forge area for the 2022 summer season; and

WHEREAS, by letter dated March 14, 2022, Scott F. Scherer, Sheriff, has advised that Rivett's Marine Recreation & Service, Inc. has a boat slip available and requests that a contract be entered into with said Rivett's Marine Recreation & Service, Inc. for the 2022 boating season; now, therefore, be it

RESOLVED, that a contract be entered into between the County of Herkimer and Rivett's Marine Recreation & Service, Inc. for dockage of one patrol boat during the 2022 summer season running from May 15, 2022 to no later than October 15, 2022 for a sum not to exceed \$3,995.00, pursuant to a contract approved by the County Attorney's Office; and, be it further

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute said contract on behalf of the County of Herkimer; 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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Sheriff, and Rivett's Marine Recreation & Service, Inc.

Dated: April 6, 2022.

On motion of Mr. Brezinski, seconded by Mr. Gaworecki, Report and Resolution No. 107 sponsored by the Committee on Highways approving project under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 107

REPORT AND RESOLUTION APPROVING PROJECT UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred the letter of Mark Nagele, County Superintendent of Highways, dated March 15, 2022, submitting three copies each of statement under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2022 covering one project involved in the Capital Construction Program, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designate work to be done with County Road Fund monies be, and hereby are, approved by the County Legislature of the County of Herkimer for the following project involved in the Capital Construction Program, to be funded as listed:

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
418	Welshbush Road, CR13, C013-01.15, Town of Frankfort	Culvert Replacement	\$450,000.00

and, be it further

RESOLVED, that this project will be funded through CHIPS and/or EWR pending sufficient funding; and, be it further

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

Dated: April 6, 2022.

On motion of Mr. Campione, seconded by Mr. Schrader, Report and Resolution No. 108 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing Shared Services agreement between the NYS DOT and the County of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 108

REPORT AND RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF HERKIMER

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

WHEREAS, by Resolution No. 81 of 2016 and Resolution No. 213 of 2018 the New York State Department of Transportation and Herkimer County entered into a Shared Services Agreement whereby the parties would exchange or lend materials, equipment and manpower in order to promote and assist in the maintenance of State and County roads and provide a cost savings by maximizing the effective utilization of both parties' resources; and

WHEREAS, the agreement provides for the use of heavy highway equipment, materials and manpower to assist the County of Herkimer during non-declared emergency events and to assist the State of New York when the request for assistance is made, with the cost of shared services not to exceed \$10,000; and

WHEREAS, the agreement provides that employees remain under the full supervision and control of the provider, and with the term of the agreement to be for four (4) years, and with the agreement revocable upon sixty days written notice and approved by the County Attorney; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a Shared Services Agreement with the New York State Department of Transportation as above described; and, be it further

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

Dated: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Campione, Report and Resolution No. 109 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant, creating project, and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 109

REPORT AND RESOLUTION ACCEPTING GRANT, CREATING PROJECT, 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, by letter dated March 1, 2022, from Michael L. Edwards, STOP-DWI Coordinator, he has requested this Legislature accept funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$12,000 for the period of October 1, 2021 through September 30, 2022, as a pass through funding stream administered by the County; and

WHEREAS, by letter dated March 15, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2022 in connection with the receipt of said funding; now, therefore, be it

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

Revenue:	A3315A.4389G, Impaired Driving Det., Federal Aid, Project SD02-9	From: \$17,500 To: \$29,500
Expense:	A3315A.44000, Impaired Driving Det., Contracted Services, Project SD02-9	From: \$17,500 To: \$29,500

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: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 110 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving Victim Impact Program, creating accounts, and amending 2022 budget in STOP-DWI was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 110

REPORT AND RESOLUTION APPROVING VICTIM IMPACT PROGRAM, CREATING ACCOUNTS AND AMENDING 2022 BUDGET IN STOP-DWI

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

WHEREAS, by letter dated March 17, 2022, from Michael Edwards, STOP-DWI Coordinator has requested to start an online Victim Impact Program (VIP) for certain individuals convicted of a DWI charge who are required to attend said program; and

WHEREAS, the Victim Impact Program (VIP) would be run and administered by STOP-DWI in coordination with the Probation Department; and

WHEREAS, by letter dated March 22, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2022 Budget to create accounts and a budget of \$1,000 for supplies and fees collected; now, therefore, be it

RESOLVED, that the online Victim Impact Program (VIP) for certain individuals convicted of a DWI charge who are required to attend said program is hereby approved; and, be it further

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

Revenue:	A3315B.1582, Victim Impact, Fees	\$1,000
Expense:	A3315B.41000, Victim Impact, Supplies	\$1,000

and, be it further

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

Dated: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 111 sponsored by the Committee on Public Safety & Emergency Management appointing representatives in connection with Herkimer County Ignition Interlock Program Plan was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 111

REPORT AND RESOLUTION APPOINTING REPRESENTATIVES IN CONNECTION WITH HERKIMER COUNTY IGNITION INTERLOCK PROGRAM PLAN

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, the provisions of Leandra's Law, as implemented by the rules and regulations of the New York State Division of Probation and Correctional Services, requires all counties to establish an Ignition Interlock Program Plan; and

WHEREAS, Resolution No. 209 of 2010 designated representatives to serve in consultation with the development of said Plan; and

WHEREAS, by letter dated March 17, 2022, Michael Edwards, STOP-DWI Coordinator, has advised of the designated representatives to serve in consultation of said Plan; now, therefore, be it

RESOLVED, that the following individuals are hereby designated to serve in consultation with the development of the Herkimer County Ignition Interlock Program Plan:

Herkimer County Court Law Clerk	7/1/2022 - 6/30/2023
Chairman of the Public Safety Committee	7/1/2022 - 6/30/2023
County Administrator	7/1/2022 - 6/30/2023
Legal Aid Representative (Keith Bowers)	7/1/2022 - 6/30/2023
Mental Health/DDP Representative	7/1/2022 - 6/30/2023
Herkimer County Sheriff	7/1/2022 - 6/30/2024
Chairman of the County Legislature	7/1/2022 - 6/30/2024
Herkimer County Court Judge	7/1/2022 - 6/30/2024
Local Police Representative (Chief Malone)	7/1/2022 - 6/30/2024
Herkimer County District Attorney	7/1/2022 - 6/30/2025
Herkimer County Director of Probation	7/1/2022 - 6/30/2025
Herkimer County STOP-DWI Coordinator	7/1/2022 - 6/30/2025
Local Court Representative (Judge Luther)	7/1/2022 - 6/30/2025

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the above named designees.

Dated: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 112 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means establishing position of Executive Assistant for Indigent Legal Services in the County Attorney's Office was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Campione, Russell, Shaw, Weakley (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 112

REPORT AND RESOLUTION ESTABLISHING POSITION OF EXECUTIVE ASSISTANT FOR INDIGENT LEGAL SERVICES IN THE COUNTY ATTORNEY'S OFFICE

**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 March 24, 2022 from Steve Billings, Personnel Officer, this Legislature has been notified of a request to create a full-time position of Executive Assistant for Indigent Legal Services which is 100% reimbursed by state funds, will be a competitive class civil service position and will be supervised by the Herkimer County Attorney's Office; and

WHEREAS, your Committee has taken this matter under consideration and recommend the establishment of the aforesaid position; now, therefore, be it

RESOLVED, that the 2022 Salary Schedule III is hereby amended in A1170B to establish the position of Executive Assistant for Indigent Legal Services at the annual salary of \$35,000; 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, Personnel Officer, County Attorney and Keith D. Bowers, dba Enhanced Representation, Inc.

Dated: April 6, 2022.

On motion of Mr. Hollum, seconded by Mr. Brezinski, Report and Resolution No. 113 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means approving purchase in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 113

REPORT AND RESOLUTION APPROVING PURCHASE IN THE BOARD OF ELECTIONS

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

WHEREAS, by letter received March 23, 2022, from Kim Tranter, Commissioner of Elections and Robert Hoyt, Deputy Commissioner of Elections, to help ensure Voter Check-in runs efficiently this Legislature is advised of a request to purchase 45 receipt printers and 45 cases, in the amount of \$13,500.00 through KNOWiNK Innovative Election Solutions; now, therefore, be it

RESOLVED, that the above described purchase of 45 receipt printers and 45 cases, in the amount of \$13,500.00 through KNOWiNK Innovative Election Solutions is approved; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioner of Elections, Deputy Commissioner of Elections, and KNOWiNK Innovative Election Solutions.

Dated: April 6, 2022.

On motion of Mr. Stephens, seconded by Mr. Johnson, Report and Resolution No. 114 sponsored by the Committee on County Properties and the Committee on Ways & Means approving contract for architectural services at the Herkimer County 911 Center was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 114

REPORT AND RESOLUTION APPROVING CONTRACT FOR ARCHITECTURAL SERVICES AT THE HERKIMER COUNTY 911 CENTER

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

WHEREAS, the Herkimer County 911 Center located at 71 Reservoir Rd., Herkimer, NY 13350 has been experiencing issues with the building envelope; and

WHEREAS, a proposal was received from Nelson Associates Architectural Engineering, 1 North Park Row, Clinton, NY 13323, for architectural services to provide a review of the Herkimer County 911 Center and report on solutions and costs for repairs, for a fee of \$3,991.00; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves a contract with Nelson Associates Architectural Engineering, 1 North Park Row, Clinton, NY 13323, for architectural services to provide a review of the Herkimer County 911 Center and report on solutions and costs for repairs, for a fee of \$3,991.00; and, be it further

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

Dated: April 6, 2022.

On motion of Mr. Shaw, seconded by Mr. Gaworecki, Resolution No. 115 sponsored by the Committee on Natural Resources setting Public Hearing on annual thirty-day period for 2022 for inclusion of viable agricultural land within a certified agricultural district was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 115

RESOLUTION SETTING PUBLIC HEARING ON ANNUAL THIRTY-DAY PERIOD FOR 2022 FOR INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN A CERTIFIED AGRICULTURAL DISTRICT

Sponsored by: Committee on Natural Resources

WHEREAS, Section 303-b of the Agriculture and Markets Law provides that the County Legislature of a county containing a certified agricultural district must designate an annual 30 day period, within which a landowner may submit a request for inclusion of land which is predominately viable agricultural land within a certified agricultural district; and

WHEREAS, Resolution No. 146 adopted by this Legislature on May 19, 2004, set the annual 30 day period from January 1 through January 31 of each year; and

WHEREAS, pursuant to statute, requests received during said 30 day period for 2022 were referred to the County Agricultural and Farmland Protection Board for their recommendation, and reports are now ready to be made and a public hearing may now be held; now, therefore, be it

RESOLVED, that a Public Hearing be held on the 27th of April, 2022 at 6:30 p.m. on the proposed additions to Agricultural Districts for the year 2022; and, be it further

RESOLVED, that the Clerk of this Legislature give proper notice thereof pursuant to Section 303-b of the Agriculture and Markets Law of the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Cornell Cooperative Extension Services and the Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: April 6, 2022.

On motion of Mr. Schrader, seconded by Mr. Russell, Resolution No. 116 sponsored by the Committee on Information Services and the Committee on Ways & Means requesting legislation authorizing an exemption from the residency requirements for the office of Herkimer County Information Services Director was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Ackerman, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 116

RESOLUTION REQUESTING LEGISLATION AUTHORIZING AN EXEMPTION FROM THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF HERKIMER COUNTY INFORMATION SERVICES DIRECTOR

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

WHEREAS, the position of Information Services Director for Herkimer County has become vacant and a potential candidate for such position resides in an adjoining county to Herkimer County; and

WHEREAS, legislation amending New York State Law to allow a person holding the office of Information Services Director for Herkimer County to reside in Herkimer County or an adjoining county in New York State is required to enable such candidate to be appointed to such position; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby requests that its Assemblymen, Assemblywoman and Senators introduce in the New York State Legislature bills which would expand the residency requirements for the position of Herkimer County Information Services Director to permit the position to be filled with an employee who resides in Herkimer County or an adjoining county in the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator Peter Oberacker, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller and Assemblywoman Marianne Buttenschon.

Dated: April 6, 2022.

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

At 2:12 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, April 27, 2022 at 7:00 p.m. with a Public Hearing on Open Enrollment for the Agricultural District at 6:30 p.m.

Brittney R. Viscomi, Clerk