

MINUTES
Herkimer County Legislature
Second Quarter – Second Day
Wednesday, April 27, 2022
7:00 p.m.

Public Hearing

The Public Hearing on the Open Enrollment Period for 2022 for Inclusion in Agricultural District No. 1 was called to order at 6:30 p.m. by Mark Gaworecki, Chairman of the Natural Resources Committee. The Clerk read the Notice. Mr. Gaworecki then asked if there was anyone wishing to speak on the hearing. There were no requests to speak, and the hearing was declared closed at 6:31 p.m.

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Herkimer County Legislature will hold a Public Hearing on the proposed modifications of Herkimer County Agricultural District No. 1. The Public Hearing will be held on Wednesday, April 27, 2022 at 6:30 p.m., in the Herkimer County Legislature Chambers in Herkimer, New York.

Two (2) landowners have submitted requests in 2022 for inclusion of predominantly viable agricultural land within a certified agricultural district, and these requests have been filed with the Herkimer County Legislature pursuant to Section 303-b of the NYS Agriculture and Markets Law. The parcels are located in the Towns of Stark, Warren, and Herkimer which are part of or adjacent to Agricultural District No. 1.

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

Dated at Herkimer, New York
April 18, 2022.
Brittney R. Viscomi, Clerk
Herkimer County Legislature

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

Chairman Bono called on Robert J. Hoyt, Commissioner of Elections, 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, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Absent: Schrader, Johnson, Keeler (3).

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. (1) Lisa Karges, Herkimer – Management Issues, (2) Jean Macri, Herkimer – Management Issues.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of April 6, 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. 151 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 152 – A communication was received from the New York State Department of State advising of Filing of Local Law No. 2 for 2022. Filed.

No. 153 – A communication was received from the NYSAC President submitting resolutions adopted at the NYSAC 2022 Legislative Conference. Filed.

No. 154 – A communication was received from the Budget Officer/Purchasing Agent recommending purchase for upgrade to County Data Center. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 155 – A communication was received from the Director of Information Services submitting 2021 Annual Report for Information Services. Referred to the Committee on Information Services.

No. 156 – A communication was received from the Director of Information Services submitting 2021 Annual Report for Central Printing. Referred to the Committee on Information Services.

No. 157 – A communication was received from the County Treasurer requesting adoption of revisions to the County's Investment Policy. Referred to the Committee on Ways & Means.

No. 158 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation for the Herkimer County Sewer District. Referred to the Committee on Ways & Means.

No. 159 – A communication was received from the STOP-DWI Coordinator recommending reappointments to the STOP-DWI Advisory Board. Referred to the Committee on Public Safety & Emergency Management.

No. 160 – A communication was received from the STOP-DWI Coordinator submitting 2021 Annual Report for STOP-DWI. Referred to the Committee on Public Safety & Emergency Management.

No. 161 – A communication was received from the Personnel Officer requesting to establish a temporary, part-time position in Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 162 – A communication was received from the Director of Emergency Services requesting agreement with Oneida County for Steuben Communications Tower. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 163 – A communication was received from the Budget Officer/Purchasing Agent requesting to create accounts, transfer funds, and amend budget in connection with the American Rescue Plan Act. Referred to the Committee on Ways & Means.

No. 164 – A communication was received from the Budget Officer/Purchasing Agent awarding bid for bus service to Old Forge for Youth Bureau. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 165 – A communication was received from the Director of Information Services requesting approval for agreement with Quadsimia. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 166 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation in connection with Chamber of Commerce. Referred to the Committee on Ways & Means.

No. 167 – A communication was received from the Director of Information Services requesting approval for agreement with Intradyn for archiving services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 168 – A communication was received from the County Attorney requesting resolution for sale of parcels in a public auction. Referred to the Committee on County Properties.

No. 169 – A communication was received from the County Property Agent submitting listing of properties acquired by In Rem procedures. Referred to the Committee on County Properties.

No. 170 – A communication was received from the Herkimer County Democratic Chairwoman submitting certification for appointment of Board of Elections Commissioner. Referred to the Committee on Administration/Veterans' Affairs.

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

On motion of Mr. Stephens, seconded by Mr. Shaw, Resolution No. 117 – Resolution No. 119 were handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).

Consent Agenda:

- 117 INFO. SERVICES: Adopting Annual Report of the Information Services and Printing Departments
- 118 PUB. SFTY./EMER. MGMT.: Adopting Annual Report of Herkimer County STOP-DWI Program
- 119 PUB. SFTY./EMER. MGMT.: As regards membership on the STOP-DWI Adv. Board



HERKIMER COUNTY LEGISLATURE

No. 117

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE INFORMATION SERVICES AND CENTRAL PRINTING DEPARTMENTS

Sponsored by: Committee on Information Services

WHEREAS, your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2021, and the Annual Report for the Central Printing Department for the year 2021, respectfully reports that we have examined the same, recommend the adoption of said reports, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Information Services Department and the Annual Report for the Central Printing Department for the year 2021 be approved and placed on file with the Herkimer County Legislature.

Dated: April 27, 2022.



HERKIMER COUNTY LEGISLATURE

No. 118

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STOP-DWI PROGRAM

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, your Committee on Public Safety and Emergency Management, to which was referred the Annual Report of the Herkimer County STOP-DWI Program for the year 2021,

respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County STOP-DWI Program for the year 2021 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 27, 2022.



HERKIMER COUNTY LEGISLATURE

No. 119

REPORT AND RESOLUTION AS REGARDS MEMBERSHIP ON THE STOP-DWI ADVISORY BOARD

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, a communication from Michael J. Edwards, STOP-DWI Coordinator, dated April 4, 2022, advises this Legislature that the STOP-DWI Advisory Board recommends the reappointment of certain members to the STOP-DWI Advisory Board; now, therefore, be it

RESOLVED, that the individuals serving in the following titles and individuals listed are hereby reappointed to the STOP-DWI Advisory Board to serve a term of three years commencing July 1, 2022 and ending June 30, 2025; except as indicated

Reappointments

Chairman of the Herkimer County Legislature

Herkimer County Administrator

Chief Joseph Malone, Mohawk Police Chief

Tim Rogers, Director of Campus Safety at HCCC

Sam Jess, Community Member (ending June 30, 2024)

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Coordinator of the STOP-DWI Program and the appointees.

Dated: April 27, 2022.

The Chairman continued with the Regular Agenda.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 120 sponsored by the Committee on Information Services and the Committee on Ways & Means approving upgrades to data center in the Information Services Department was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 120

REPORT AND RESOLUTION APPROVING UPGRADES TO DATA CENTER IN THE INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by letter dated April 5, 2022, Kathy Wright, Director of Information Services, has requested authorization to purchase upgrades to the Data Center through ConvergeOne of 421 Broad Street, Utica, NY at a cost of \$206,247.71; and

WHEREAS, letter further lists the cost breakdown as follows:

Server Upgrade:	Hardware	\$49,073.73
	Professional Services	\$10,388.00
	Maintenance/Support	\$ 3,595.50
	Total:	\$63,057.23
Core Switching Upgrade:	Software	\$23,727.36
	Hardware	\$77,801.60
	Professional Services	\$10,636.00
	Maintenance/Support – 3 years	\$31,025.52
	Total:	\$143,190.48
	ConvergeOne Quote:	\$206,247.71
Microsoft Licenses to be purchased from Dell:		\$ 23,471.16
Total Project:		\$229,718.87

now, therefore, be it

RESOLVED, that the above purchase to upgrade the Data Center through ConvergeOne at a cost of \$206,247.71, plus Microsoft Licenses purchased from Dell at a cost of \$23,471.16, for a total cost of \$229,718.87 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: April 27, 2022.

On motion of Mr. Manno, seconded by Mr. Campione, Report and Resolution No. 121 sponsored by the Committee on Information Services and the Committee on Ways & Means approving agreement for archiving in the Information Services Department was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 121

REPORT AND RESOLUTION APPROVING AGREEMENT FOR ARCHIVING IN THE INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by letter dated April 4, 2022, Kathy Wright, Director of Information Services, has requested authorization to enter into an agreement with Intradyn, 1355 Mendota Heights Road #300, Mendota Heights, Minnesota, to handle archiving of all email messages, social media posts, and text messages on County-owned phones; and

WHEREAS, letter further advises the initial cost is \$18,710.00, which includes the cost of a virtual appliance to install at the County which will be used to capture all email messages, and there is a three year subscription for support of the software included, with the yearly cost to capture text messages from the Verizon phones at \$4,920 and the cost for the AT&T phones will be \$120, the yearly cost for social media archiving will be \$2,160 for a total annual cost of \$7,200; and

WHEREAS, there is also a one-time estimated cost of \$400 to be paid to Digital Towpath for setup of third party journaling so Intradyn's software can capture all email messages passing through the email server; now, therefore, be it

RESOLVED, that the above agreement with Intradyn to handle archiving of all email messages, social media posts, and text messages on County owned phones 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 Intradyn.

Dated: April 27, 2022.

On motion of Mr. Brezinski, seconded by Mr. Gaworecki, Report and Resolution No. 122 sponsored by the Committee on Information Services and the Committee on Ways & Means

authorizing agreement with Quadsimia in the Information Services Department was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 122

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH QUADSIMIA IN THE INFORMATION SERVICE DEPARTMENT

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

WHEREAS, by letter dated April 8, 2022, from Kathy Wright, Director of Information Services, this Legislature is advised of a request to enter into an agreement with Quadsimia for technical support and web development for the County website and intranet; and

WHEREAS, the letter further states that the agreement with Quadsimia, 412 Main Street, Utica, NY will be for 100 hours at a cost of \$9,000.00 for a one year period of April 1, 2022 through March 31, 2023; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute an agreement with Quadsimia, 412 Main Street, Utica, NY, for technical support and web development of the County website and intranet for 100 hours at a cost of \$9,000.00 for a one year period of 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, Director of Information Services, and Quadsimia.

Dated: April 27, 2022.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 123 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means awarding bid for bus service for the Old Forge Area Transportation Program was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 123

REPORT AND RESOLUTION AWARDING BID FOR BUS SERVICE FOR THE OLD FORGE AREA TRANSPORTATION PROGRAM FOR THE 2022 SUMMER YOUTH EMPLOYMENT PROGRAM

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

WHEREAS, pursuant to Resolution No. 114 for the year 1993, the Herkimer County Budget Officer and Purchasing Agent is authorized to advertise for bids, on an annual basis, for the Old Forge Area Transportation Program in relation to the Summer Youth Employment Program; and

WHEREAS, by communication dated April 4, 2022, the Budget Officer has advised this Legislature that bids were received, opened and read in accordance with law for bus services in connection with the 2022 Summer Youth Employment Program to provide transportation to the Old Forge Area; and

WHEREAS, the Budget Officer has advised that it is the recommendation of your Committees and the Youth Bureau that a contract be awarded to the lowest bidder, Hale Transportation, in the sum of \$590.00 per bus, per day, for 144 regular runs and 2 runs for orientation, for a total of \$86,140; and

WHEREAS, letter further advises that a transfer will be necessary; now, therefore, be it

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

\$11,620 From: A7320.10100, Youth Summer Work Program, Temp. Employees
 To: A7310.44000, Youth Bureau, Contracted Services

and, be it further

RESOLVED, that the Herkimer County Legislature awards a contract to Hale Transportation, 37 Kirkland Avenue, Clinton, New York 13323, for bus service for the Old Forge Area Transportation Program for the 2022 Summer Youth Employment Program, in the sum of \$590.00 per bus, per day, for 144 regular runs and 2 runs for orientation, for a total of \$86,140; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, 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, Executive Director of the Youth Bureau, and Hale Transportation.

Dated: April 27, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Campione, Report and Resolution No. 124 sponsored by the Committee on Ways & Means adopting Investment Policy of the County of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 124

REPORT AND RESOLUTION ADOPTING INVESTMENT POLICY OF THE COUNTY OF HERKIMER

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 177 of 2009 an Investment Policy of the County of Herkimer was adopted, which Policy was amended by Resolution No. 136 of 2011, Resolution 163 of 2016, and Resolution No. 230 of 2019; and

WHEREAS, by letter dated March 23, 2022, Kimberlee Enea, Herkimer County Treasurer, has submitted a revised Herkimer County Investment Policy for adoption as attached hereto; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby adopts the attached revised Investment Policy as the Investment Policy of the County of Herkimer; and, be it further

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

Dated: April 27, 2022.

INVESTMENT POLICY FOR HERKIMER COUNTY

This investment policy applies to all moneys and other financial resources available for investment on its own behalf of any other entity or individual.

OBJECTIVES

The primary objectives of the County's investment activities are, in priority order,

- to conform with all applicable federal, state, and other legal requirements;
- to adequately safeguard principal;
- to provide sufficient liquidity to meet all operating requirements;
- to obtain a reasonable rate of return

DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the treasurer who shall establish written procedures for the operation of the investment program control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with judgment and care, under circumstances than prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

INTERNAL CONTROLS

It is the policy of the County for all money collected by any officer or employee of the government to transfer those funds to the Treasurer within 30 days of deposit, or within the time period specified in Law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable law and regulations.

DESIGNATION OF DEPOSITORY

“The banks and trust companies authorized for the deposit of moneys shall be listed and the amounts indicated on the resolution adopted annually for the Depositories of County Funds.”

COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Herkimer County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value”, as provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits.
2. By a letter of credit payable to the County of Herkimer as security for the payment of one hundred percent of the aggregate amount of deposits, as provided by General Municipal Law, Section 10.

SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County or its Custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the County of Herkimer authorized the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed one year in the following types of investments:

- Special time deposit including certificate of deposit issued by a bank or trust company authorized to do business in the State;
- Certificates of deposit;
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- **Highly rated municipal bonds from any state in the U.S.**
- **U.S. government-backed securities, such as those issued by the Federal Home Loan Mortgage Association and other federal agencies.**
- **Highly-rated corporate bonds, as long as they have been independently rated.**
- **Money-market mutual funds, which are guaranteed by the U.S. government.**

All investment obligations shall be payable or redeemable at the option of the County of Herkimer within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Herkimer within one year of the date of purchase.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Herkimer shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the County of Herkimer. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

PURCHASE OF INVESTMENTS

The treasurer or deputy treasurer is authorized to contract for the purchase of investments:

- 1) A minimum of **two** bids shall be obtained.
- 2) All investments shall be in the name of the County.
- 3) The Treasurer's Department will maintain an investment log detailing the specific information relative to each investment. The log will contain descriptions, account numbers, fund, amounts transaction dates, interest rates, maturity, interest earned, date of disposition and other related information.

- 4) Investment transaction shall be reported to the Jr. Accountant to be recorded in the accounting system.
- 5) All Certificates of Deposit or other evidence of investment shall be kept in the safe.
- 6) Terms and Conditions
 - Minimum 7 days
 - Maximum 24 months
- 7) All investment documentation shall be retained for audit purpose.
- 8) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the County.
- 9) Funds shall be invested in such a way as to earn the maximum yield possible.
- 10) By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.**

COUNTY CLERK

In addition to the authority to invest herein given to the County Treasurer, the County Clerk, pursuant to Section 11 (5) of the General Municipal Law may invest any money collected on behalf of the state until such time as the money is required to be remitted to the state. The County Clerk shall invest the state money only in those investments by this policy and payable with such time as the proceeds shall be payable in equal shares to the state and to the County, provided, however, that any fees or service charges associated with the investment shall be paid from such interest.

Rev. 03/23/22

On motion of Mr. Stephens, seconded by Mr. Shaw, Report and Resolution No. 125 sponsored by the Committee on Ways & Means authorizing appropriation of funds in Herkimer County Sewer District was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 125

REPORT AND RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS IN HERKIMER COUNTY SEWER DISTRICT

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated April 5, 2022, submitting a request for appropriation of funds, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said appropriation be made; 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:

\$6,000 From: G909, Sewer Fund Balance
 To: G8130B.44000, Sewer, EPA Grant

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: April 27, 2022.

On motion of Mr. Donley, seconded by Mr. Russell, Report and Resolution No. 126 sponsored by the Committee on Ways & Means authorizing appropriation of funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 126

REPORT AND RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated April 20, 2022, submitting a request for appropriation of funds to compensate the Herkimer County Chamber of Commerce for expenses incurred, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said appropriation be made; 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:

\$4,145.38 From: A1990.46000, Contingent Fund, Miscellaneous Expense
 To: A6410.44000, County Promotion, Contracted Services

and, be it further

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

Dated: April 27, 2022.

On motion of Mr. Stephens, seconded by Mr. Shaw, Report and Resolution No. 127 sponsored by the Committee on Ways & Means creating accounts, amending 2021 budget, and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 127

REPORT AND RESOLUTION CREATING ACCOUNTS, AMENDING 2021 BUDGET, AND TRANSFERRING FUNDS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated April 12, 2022 from Sheri A. Ferdula, Budget Officer, your Committee is advised that the creation of accounts, transfers of funds, and budget amendments are necessary in the 2021 budget in connection with the American Rescue Plan Act funding; now, therefore, be it

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

\$793,922.97 From: A1989A.46000, ARPA, Miscellaneous Expense
 To: A9060A.45000, Health Insurance-ARPA, Fees for Serv. (create)

\$5,361.24 From: A1989A.46000, ARPA, Miscellaneous Expense
 To: A1430A.10000-001, Personnel-ARPA, Salaries (create)

\$386.45 From: A1989A.46000, ARPA, Miscellaneous Expense

To: D5010A.10000-001, Highway-ARPA, Salaries (create)

\$4,837.24 From: A1989A.46000, ARPA, Miscellaneous Expense
To: A1340B.10000-001, Budget-ARPA, Salaries (create)

\$8,146.99 From: A1989A.46000, ARPA, Miscellaneous Expense
To: A1620C.10000-001, Buildings-ARPA, Salaries (create)

\$8,506.07 From: A1989A.46000, ARPA, Miscellaneous Expense
To: A1420A.10000-001, County Attorney, ARPA, Salaries (create)

\$16,126.24 From: A1989A.46000, ARPA, Miscellaneous Expense
To: A6010C.10000-001, DSS-ARPA, Salaries (create)

\$1,855.30 From: A1989A.46000, ARPA, Miscellaneous Expense
To: DM5130A.10000-001, Road Maintenance, ARPA, Salaries (create)

\$9,122.12 From: A1989A.46000, ARPA, Miscellaneous Expense
To: A1010A.10000-001, Legislature-ARPA, Salaries (create)

and, be it further

RESOLVED, that the Treasurer is authorized to make any necessary adjustments to the interfund transfer accounts; and, be it further

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

Dated: April 27, 2022.

On motion of Mr. Hollum, seconded by Mr. Malta, Report and Resolution No. 128 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means creating temporary part-time position in Board of Elections was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 128

REPORT AND RESOLUTION CREATING TEMPORARY PART-TIME POSITION IN BOARD OF ELECTIONS

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

WHEREAS, by letter dated April 7, 2022, the Commissioners of Elections have requested that a temporary, part-time position be established in the Board of Elections for six weeks; and

WHEREAS, by letter dated April 18, 2022, Steven R. Billings, Personnel Officer, states your Committees have been advised that a temporary, part-time position of Clerk be established in Account A1450 at an hourly rate of \$15.00 per hour for a total of 117 hours; now, therefore, be it

RESOLVED, that a temporary, part-time position of Clerk be established in Account A1450 at an hourly rate of \$15.00 per hour for a total of 117 hours; and, be it further

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

Dated: April 27, 2022.

On motion of Mr. Shaw, seconded by Mr. Manno, Report and Resolution No. 129 sponsored by the Committee on Natural Resources to provide that the additions to the existing Agricultural District for the year 2022 pursuant to Section 303-b of the Agriculture and Markets Law is in compliance with the provisions of the New York State Environmental Quality Review Act was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 129

REPORT AND RESOLUTION TO PROVIDE THAT THE ADDITIONS TO THE EXISTING AGRICULTURAL DISTRICT FOR THE YEAR 2022 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW IS IN COMPLIANCE WITH THE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

Sponsored by: Committee on Natural Resources

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA), Article 8 of the NYS Environmental Conservation Law and Part 617 of Title 6, New York

Code Rules and Regulations (6NYCRR) to incorporate the consideration of environmental factors into existing planning, review and decision-making processes of local government agencies; and

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

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

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

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

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

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

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

Dated: April 27, 2022.

On motion of Mr. Campione, seconded by Mr. Hollum Report and Resolution No. 130 sponsored by the Committee on Natural Resources approving additions to the existing Agricultural District for the year 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 130

REPORT AND RESOLUTION APPROVING ADDITIONS TO THE EXISTING AGRICULTURAL DISTRICT FOR THE YEAR 2022

Sponsored by: Committee on Natural Resources

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

WHEREAS, upon recommendation of the Agricultural and Farmland Protection Board, the Herkimer County Legislature established the month of January as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within the existing agricultural district during the year 2022; and

WHEREAS, Herkimer County received requests from two landowners for inclusion of seven parcels of land within the existing agricultural district; and

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

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

WHEREAS, the Herkimer County Legislature held a public hearing on April 27, 2022; and

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

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

Dated: April 27, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Stephens, Resolution No. 131 sponsored by the Committee on County Properties authorizing sale of property acquired by In Rem procedures was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Stephens, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (14).

Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 131

RESOLUTION AUTHORIZING SALE OF PROPERTY ACQUIRED BY IN REM PROCEDURES

Sponsored by: Committee on County Properties

WHEREAS, in an action brought on to enforce collection of delinquent taxes for the tax year 2018, a Judgment was made by the County Court of the County of Herkimer on the 7th day of April, 2022 and was filed and entered in the Herkimer County Clerk's Office on April 13, 2022, pursuant to which properties listed therein became the property of the County; and

WHEREAS, pursuant to said Judgment, the County Treasurer of the County of Herkimer deeded all parcels listed in said Judgment to the County of Herkimer by deed dated April 13, 2022 and recorded on April 13, 2022, in the Herkimer County Clerk's Office as Instrument No. RP2022-2014; and

WHEREAS, the County owns other parcels obtained in previous In Rem tax foreclosure actions, which properties did not sell at prior auctions; and

WHEREAS, the court has retained jurisdiction over several parcels included in the foreclosure which parcels are the subject of further court proceedings, which proceedings may result in title to some of such parcels being conveyed to the County of Herkimer prior to the date of this year's land auction; and

WHEREAS, the County now desires to sell the parcels conveyed to the County in the aforesaid deed as well as any parcels from prior foreclosures which may also need to be sold and any parcels which may be conveyed to the County prior to this year's land auction; and

WHEREAS, it is necessary that terms and conditions of sale of said properties by the County be established; now, therefore, be it

RESOLVED:

1. That pursuant to Section 1166 of the Real Property Tax Law this Legislature now desires to provide for the sale of said parcels. Such sale shall be by public auction, and it is directed that such sale be held on Saturday, June 11, 2022 at 11:00 a.m. in the Auditorium at Herkimer High School;
2. That this sale by auction be held under the direction of the County Treasurer;

3. That such sale shall be conducted on the terms, conditions and procedures annexed hereto which include an Administration fee of \$400 for each successful bid;
4. That in addition, all sales of such property shall be subject to a buyer's premium of ten percent (10%) of the amount of the successful bid;
5. That all persons be entitled to bid at such sale on said parcels of property, except those persons prohibited by the attached Auction Terms and Conditions or by state or local law.
6. That the Treasurer is hereby authorized, when it seems advantageous, to divide any parcel on the auction list into two or more parcels and to offer said divided parcels individually or to join any two or more parcels on the auction list into one parcel and to offer said joined parcels as one parcel;
7. That following the auction sale, the Committee on County Properties and the County Treasurer report to this Legislature with their recommendations for the conveyance of the various parcels of property to the successful bidders thereon;
8. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, and County Attorney.

Dated: April 27, 2022.

AUCTION TERMS AND PROCEDURES

- 1. Registration:** Individuals interested in bidding must register and be assigned a bidder's number, which you will use when bidding on property. Registration will take place the day of the Auction. A record of all successful bids will be maintained, with each successful bidder's number assigned to the property bid accordingly.
- 2. Eligible Bidders:** All persons, including, but not limited to, corporations, partnerships, limited liability companies and limited liability partnerships are entitled to bid at such sale on said parcels of property

EXCEPT:

1. officers and employees of the County of Herkimer, including any legal entity in which the officer or employee of the County of Herkimer has an interest;
2. persons who have defaulted on any bid to purchase property from the County of Herkimer within the last five (5) years;
3. persons who have defaulted in payment of real property taxes on a parcel of property within Herkimer County which resulted in a judgment granting title to such parcel of property to the County of Herkimer within the last five (5) years or the spouse of such person;

4. persons or family members of persons who are owners of an unredeemed parcel included in the 2018 Tax Foreclosure;
5. the person or a family member of the person whose name appears on the Assessment Roll as the owner of each said parcel at the time of nonpayment of taxes which resulted in acquisition of such parcel by the County;
6. town officers, including town board members and assessors, with respect to property located within the town they serve;
7. legal entities, including but not limited to, corporations, partnerships, limited liability companies, and limited liability partnerships, in which any of the foregoing persons or legal entities has an interest.

3. Purchase Agreement: A successful bidder will be required to sign a purchase agreement when a deposit is made. Also, at this time, the successful bidder will be required to list the Name, Address and Social Security Number of the individual(s) or legal entity purchasing the property. All purchase agreements will include a certification that the purchaser is not prohibited from bidding by reason of the exclusions set forth in Paragraph 2 above.

4. Prospective Bidders: All prospective bidders are invited to inspect the premises they are interested in prior to the Auction. Inspections are only done on improved properties that are unoccupied. Information regarding property inspections will be available in the auction brochure or by contacting Michael Knapp at (315) 939-0770 or auctionbyknapp@gmail.com.

5. Conditions of Sale: Each of the parcels is sold “as is”. If a parcel is occupied, it is the responsibility of the purchaser to terminate the occupancy. The County has not entered into any lease agreement, nor has it consented to any occupancy, nor has it received any rent from any occupant of any parcel. Purchaser will obtain ownership of the property when the deed is recorded in the County Clerk’s Office and shall not take possession until such time. The County of Herkimer and its officials and agents make no representation as to the condition of any parcel of said property or of the improvements on any improved parcel. Lot sizes, including frontage, depth and acreage, are for assessment purposes only. The County makes no representations regarding the actual dimensions or acreage of the parcels.

For parcels improved by a mobile home or manufactured home, the County of Herkimer is conveying ONLY the interest of the County in the real property and makes no representations or warranties with regard to title to such mobile home or manufactured home.

The County will not be responsible for any defects or conditions whatsoever in or on the property or in any improvements, or any equipment, mechanical or otherwise, included therein.

All deeds will be subject to the following condition, and covenant: This conveyance is made pursuant to a resolution of the Herkimer County Legislature and this conveyance is made subject to the condition and covenant that the County of Herkimer shall in no event be or become liable for any defects in title conveyed hereby, for any cause whatsoever, and that no claim, demand or

suit of any nature shall ever be made by the party of the second part hereto, or by said party's heirs, successors and assigns against said County of Herkimer arising from such sale or this conveyance.

All properties subject to Federal Tax Liens are sold subject to the right of redemption of the United States of America.

6. Administration Fee: An administration fee will be added to each successful bid. The administration fee will be \$400.00 for each successful bid.

7. Buyer's Premium: In addition to the administration fee, a buyer's premium of 10% of the amount of the successful bid will be added to the purchase price of each successful bid.

8. Required Bid Deposit: A **\$50.00 or 10% deposit** (cash or check) whichever is greater, is required at the time of the Auction on each property for which you are the successful bidder. Successful bids of \$50.00 or less must be paid in full. Deed recording fees are also required to be paid at this time for bids of \$50.00 or less. If you are the successful bidder of more than one parcel, a single check will be accepted to cover all deposit requirements. Make checks payable to **Kimberlee A. Enea, Herkimer County Treasurer.**

9. Full Payment of Bids: The balance of the purchase price on any property, together with Cover Sheet (\$5.00), Deed Recording Fees (\$45.00/deed), Transfer Gains Affidavit Filing Fee (\$5.00), and Real Property Transfer Report Fee (\$125.00 for residential or farm property and \$250.00 for all other property) must be made to the Herkimer County Treasurer, **WITH CASH, MONEY ORDER OR CASHIERS CHECK, no later than 4:00 pm, July 5, 2022.**

10. Deed Recordings: All deeds are Quit Claim Deeds, conveying the interest that the County of Herkimer has in the property to the successful bidder. The County Property Agent will record all deeds as soon as possible, once final approval has been received by the County Legislature. You will receive your deed(s) by mail, through the County Clerk's Office. Any changes in the deed will be the responsibility of the purchaser after the deed is recorded.

11. Tax Information: Total annual taxes are listed under each parcel. Delinquent taxes were absorbed and paid by the County. Purchasers will be responsible for current 2022-2023 City, Village, School and future taxes.

12. Default by Purchaser: Default by the Purchaser or failure to meet the terms and procedures of this Auction will result in **forfeiture of the required deposit.**

13. Confirmation and Approval of Sales: All sales are subject to confirmation by the County Properties Committee and final approval of the Herkimer County Legislature.

14. THE COUNTY OF HERKIMER RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.

*****Auction information also available on the web:

www.herkimercounty.org and www.auctionbyknapp.com

On motion of Mr. Hollum, seconded by Mr. Donley, Resolution No. 132 sponsored by the Committee on Administration/Veterans' Affairs urging the Governor and State Legislature to abandon the proposal from the State of the State Address to reunify SUNY Polytechnic Institute's College of Nanoscale Science and Engineering with the University of Albany was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

No. 132

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO ABANDON THE PROPOSAL FROM THE STATE OF THE STATE ADDRESS TO REUNIFY SUNY POLYTECHNIC INSTITUTE'S COLLEGE OF NANOSCALE SCIENCE AND ENGINEERING WITH THE UNIVERSITY OF ALBANY

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, on February 2, 2022 Governor Hochul announced a proposal in the State of the State address to reunify SUNY Polytechnic Institute's College of Nanoscale Science and Engineering with the University of Albany; and

WHEREAS, established in 2014, the combined campuses provide a world class academic institution that provides essential academic and economic benefits to the Mohawk Valley and Central New York region; and

WHEREAS, the SUNY Polytechnic Institute has established itself as a regional asset that remains critical to the attraction and support of the semiconductor industry; and

WHEREAS, it is essential to the economic development strategy to attract additional semiconductor investments at the Marcy Nanocenter; and

WHEREAS, the SUNY Polytechnic Institute's College of Nanoscale Science and Engineering is integral to the development of the Marcy Nanocenter that has attracted \$1.5 billion to date in public and private investments with Wolfspeed and Danfoss Silicon Power; and

WHEREAS, Wolfspeed committed \$3.5 million in funding to SUNY Poly Foundation scholarships, including an endowment for two faculty positions; and

WHEREAS, Wolfspeed committed additional funding for curriculum development and commitment to internships in partnership with Mohawk Valley Community College's developed Automation PILOT Training Center; and

WHEREAS, SUNY Poly is an essential partner of the Northeast Advanced Technological Education Center (NEATEC) for regional workforce development and training; and

WHEREAS, the decision to split the campuses fundamentally undercuts SUNY Poly's ability to follow through on commitments made to assist in the development of Innovare Advancement Center; and

WHEREAS, the Air Force Research Laboratory (AFRL), the Air Force, Wolfspeed, Rome Labs, the Innovare Advancement Center, and the Griffiss Institute have invested heavily in the growth of SUNY Poly and the economic advancement of the region; and

WHEREAS, to reunify SUNY Polytechnic Institute's College of Nanoscale Science and Engineering with the University at Albany would be to backtrack on predicated strategic partnerships for workforce and economic development in the Mohawk Valley and the Central New York Region; now, therefore, be it

RESOLVED, that the Herkimer County Board of Legislators calls on the Governor and State Legislature to discontinue the reunification of SUNY Polytechnic Institute's College of Nanoscale Technology and Engineering with the University at Albany; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Peter Oberacker, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, Oneida County Executive Anthony Picente, Jr., and Oneida County Legislature Chairman Gerald J. Fiorini.

Dated: April 27, 2022.

On motion of Mr. Brezinski, seconded by Mr. Hollum, Report and Resolution No. 133 sponsored by the Committee on Administration/Veterans' Affairs making appointment of Commissioner of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).

Mr. Hoyt expressed his appreciation to the Legislature for the appointment.



HERKIMER COUNTY LEGISLATURE

No. 133

REPORT AND RESOLUTION MAKING APPOINTMENT OF COMMISSIONER OF ELECTIONS

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, Arlene G. Feldmeier, Chairwoman of the Herkimer County Democratic Committee, has filed a certificate of the Herkimer County Democratic Committee, in conformity with the provisions and requirements of Section 3-204 of the Election Law of the State of New York, recommending Robert J. Hoyt, a resident and qualified voter of the County of Herkimer to be a fit and proper person to be appointed a Commissioner of Elections to fill an existing vacancy in said office for the remainder of the current term starting April 28, 2022 and ending December 31, 2022; now, therefore, be it

RESOLVED, that Robert J. Hoyt, Jordanville, New York, 13361, be, and he hereby is, appointed as Commissioner of Elections of the County of Herkimer as so recommended to fill an existing vacancy in said office for the remainder of the current term starting April 28, 2022 and ending December 31, 2022; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Personnel Officer, Robert J. Hoyt, and Clerk of the County of Herkimer, who shall immediately notify the State Commissioner of Elections of this appointment.

Dated: April 27, 2022.

On motion of Mr. Stephens, seconded by Mr. Brezinski, Resolution No. 134 In Memoriam of R. Frederick "Fred" Rowland, former Herkimer County Legislator, was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Schrader, Johnson, Keeler (3).



HERKIMER COUNTY LEGISLATURE

IN MEMORIAM

No. 134

WHEREAS, R. Frederick "Fred" Rowland departed this life on April 10, 2022; and

WHEREAS, R. Frederick "Fred" Rowland was a lifelong resident of the Village of Ilion, and was a devoted husband of 52 years, father, grandfather, and great-grandfather; and

WHEREAS, Fred proudly served in the United States Navy from 1957 to 1961 and then returned home to work for General Electric in Utica for over 31 years; and

WHEREAS, During this time Fred was elected to the Herkimer County Legislature in District No. 4 representing the Town of German Flatts, serving from 1974 through 1994. During his tenure he served as Chairman of the County Legislature from 1986 through 1987. Also during his time, he was Chairman of the Education Committee, the County Personnel Committee and the Finance Committee, he was also a member of the Committees on Administration, Human Resources, Veterans' Affairs and Civil Defense, Environmental Conservation, Agriculture, and Judiciary Committee; and

WHEREAS, Fred was appointed as Director of the Herkimer County Veterans' Service Agency in 1994 until his retirement in 1998; and

WHEREAS, The County of Herkimer and its residents have sustained a great loss with the passing of this dedicated public servant and citizen; now, therefore, be it

RESOLVED, That the County Legislature does hereby express its deepest regrets at the decease of R. Frederick "Fred" Rowland and hope that this expression of remembrance may in some manner help console his family in their bereavement; and, be it further

RESOLVED, That a copy of this Resolution be sent to the family of R. Frederick "Fred" Rowland, and that an additional copy be spread upon the minutes of this meeting.

Dated: April 27, 2022.

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

At 7:20 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, May 18, 2022 at 7:00 p.m.

Brittney R. Viscomi, Clerk