

MINUTES
Herkimer County Legislature
First Quarter – Second Day
Wednesday, January 24, 2024
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Robert D. Hollum at 7:05 p.m.

Chairman Hollum called on Susan Jaquish, to lead the Legislature in the Pledge of Allegiance.

Chairman Hollum 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, Brewer, Keeler, Brezinski, Bick, Swartz, Bono, Ackerman, Donley, Campione, Russell, Weakley (15).

Absent: Bennett, Shaw (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Hollum asked if there were any objections or corrections to the minutes of January 2, 2024. There were none, and the Chairman ordered them approved.

Chairman Hollum dispensed with the regular session to allow for a few presentations.

At this time Chairman Hollum called on Legislator William Weakley for the presentation of a proclamation. Mr. Weakley read the proclamation which proclaimed Thursday, January 25, 2024 as “Poland Boys Varsity Soccer Day.” He presented the proclamation to Coach Greg Haver, Assistant Coach Branden Garrett and the rest of the team for their accomplishments.

Legislator Ray Donley, Chairman of the Public Safety & Emergency Management Committee, presented John J. Raymond, Director of Emergency Services, with a plaque in recognition of his 21 years of distinguished service to the County of Herkimer, and his six years as Director of Emergency Services.

Chairman Hollum then presented a plaque to Legislator Vincent J. Bono in honor of his 22 years as a Herkimer County Legislator.

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

Chairman Hollum 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. 4 – A communication was received from the Clerk of the Legislature submitting appointment of Deputy Clerk. Filed.

No. 5 – A communication was received from the County Attorney submitting Order Designation of Assistant County Attorneys. Filed.

No. 6 – A communication was received from the County Auditor submitting letter appointing Deputy Auditor. Filed.

No. 7 – A communication was received from the County Auditor submitting refund for the month of December 2023. Filed.

No. 8 – A communication was received from the County Auditor submitting tax corrections for the month of December 2023. Filed.

No. 9 – A communication was received from the Solid Waste Authority submitting adopted 2024 Budget. Filed.

No. 10 – A communication was received from Mid York Library System submitting thank you for support. Filed.

No. 11 – A communication was received from the County Clerk submitting resignation of Director of Emergency Services. Filed.

No. 12 – A communication was received from the Capital District OTB submitting financial reports for August & September 2023. Filed.

No. 13 – A communication was received from the NYS Comptroller submitting audit report. Filed.

No. 14 – A communication was received from the IDA submitting PILOT Agreement. Filed.

No. 15 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 16 – A communication was received from the County Attorney submitting notice for a defective road. Filed.

No. 17 – A communication was received from the NYS Department of State advising of Filing of Local Law No. 1 for 2024. Filed.

No. 18 – A communication was received from the Solid Waste Authority submitting meeting minutes and resolutions. Filed.

No. 19 – A communication was received from the Director of Information Services requesting maintenance agreement for Varonis. Referred to the Committee on Information Services and Ways & Means.

No. 20 – A communication was received from the Director of Information Services requesting maintenance agreement for cisco umbrella. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 21 – A communication was received from the County Auditor submitting extradition expenses. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 22 – A communication was received from the Sheriff submitting October 2023 Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 23 – A communication was received from the Sheriff submitting November 2023 Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 24 – A communication was received from the Sheriff submitting December 2023 Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 25 – A communication was received from the Highway Superintendent requesting to fix truck 19. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 26 – A communication was received from the Chairman of the Legislature making appointment to Office for the Aging Advisory Council. Referred to the Committee on Human Resources.

No. 27 – A communication was received from the County Administrator submitting request for re-appointment. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 28 – A communication was received from the Personnel Officer submitting 2023 Annual Report. Referred to the Committee on Ways & Means.

No. 29 – A communication was received from the Budget Officer/Purchasing Agent requesting adoption of the County's Purchasing Policy. Referred to the Committee on Ways & Means.

No. 30 – A communication was received from the Commissioners of Elections submitting 2023 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 31 – A communication was received from the Commissioner of Social Services submitting request from Mary Sullivan for extension of leave of absence. Referred to the Committee on Ways & Means.

No. 32 – A communication was received from the Commissioner of Social Services requesting to accept funding and renew a contract with Catholic Charities. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 33 – A communication was received from the Budget Officer/Purchasing Agent requesting Chairman to sign space occupancy agreement for Congresswoman. Referred to the Committee on Ways & Means.

No. 34 – A communication was received from the Budget Officer/Purchasing Agent requesting change order and appropriation in connection with Court Street building remodel. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 35 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with SCAAP Award in Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 36 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. III in the Probation Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 37 – A communication was received from the Personnel Officer requesting amendment to the hourly salary schedule in the Mental Health Department. Referred to the Committee on Ways & Means.

No. 38 – A communication was received from the Highway Superintendent requesting approval of 2024 capital construction project. Referred to the Committee on Highways.

No. 39 – A communication was received from the Director of Community Services requesting contract with Aetna Network Services LLC. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 40 – A communication was received from the Director of the Office for the Aging requesting new contract for EISEP & Unmet Needs Programs. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 41 – A communication was received from the Director of the Office for the Aging requesting new contract for Respite Services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 42 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for Doula Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 43 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for Emergency Preparedness Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 44 – A communication was received from the County Treasurer requesting contract with Tyler Technologies. Referred to the Committee on Ways & Means.

No. 45 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to the budget in Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 46 – A communication was received from the Treasurer of Friends of Historic Herkimer County requesting to renew lease for 1834 Jail and requesting acceptance of grant for Phase II of the restoration project. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 47 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for grant from the Community Foundation in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 48 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in the Highway Department. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 49 – A communication was received from the Director of Emergency Services requesting amendment to Honey Hill Tower lease agreement. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 50 – A communication was received from the Commissioners of Elections requesting one year extension with Phoenix Graphics. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 51 – A communication was received from the Highway Superintendent requesting purchase of Live Bottom trailer. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 52 – A communication was received from the Highway Superintendent requesting purchase of equipment. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 53 – A communication was received from the Commissioners of Elections requesting payment for use of Early Voting site. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 54 – A communication was received from the County Treasurer & Dir. of Real Property Tax Services submitting requests for tax roll corrections. Referred to the Committee on Ways & Means.

No. 55 – A communication was received from the County Treasurer requesting cancellation of taxes on parcel in the Town of Frankfort. Referred to the Committee on Ways & Means.

No. 56 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with NYS Tourism Promotion Program. Referred to the Committee on Ways & Means.

No. 57 – A communication was received from Legislator Mark Gaworecki requesting the County take title to properties in Frankfort. Referred to the Committee on County Properties.

No. 58 – A communication was received from Legislator Mark Gaworecki requesting discussion on District Attorney office space. Referred to the Committee on County Properties, the Committee on Public Safety & Emergency Management, and the Committee on Ways & Means.

No. 59 – A communication was received from the County Treasurer requesting discussion on property in the Village of Ilion. Referred to the Committee on County Properties.

No. 60 – A communication was received from Legislator Vincent J. Bono submitting resignation as Herkimer County Legislator. Filed.

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

On motion of Mr. Gaworecki, seconded by Mr. Donley, Resolution No. 7 – Resolution No. 11 were handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).

Consent Agenda:

- 7 ADMIN./VETS.: Adopting Annual Report of the Board of Elections
- 8 WAYS & MEANS: Adopting Annual Report of the Personnel Office
- 9 HUMAN RES.: Confirming appointment to the OFA Advisory Council
- 10 NAT. RESOURCES: Appointing representatives of Intercounty Legislative Committee of the Adirondacks
- 11 WAYS & MEANS: Adopting policies and procedures for purchase of goods and services



HERKIMER COUNTY LEGISLATURE

No. 7

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

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2023, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Board of Elections be approved and placed on file with the Herkimer County Legislature for the year 2023.

Dated: January 24, 2024.



HERKIMER COUNTY LEGISLATURE

No. 8

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2023, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2023 be approved and placed on file with the Herkimer County Legislature.

Dated: January 24, 2024.



HERKIMER COUNTY LEGISLATURE

No. 9

REPORT AND RESOLUTION CONFIRMING APPOINTMENT TO THE HERKIMER COUNTY OFFICE FOR AGING ADVISORY COUNCIL

Sponsored by: Committee on Human Resources

WHEREAS, the Chairman of the Herkimer County Legislature, by letter dated January 5, 2024, has made an appointment to the Office for the Aging Advisory Council; now, therefore, be it

RESOLVED, that the following appointment to the Office for the Aging Advisory Council be, and hereby is, ratified and confirmed:

New appointment for term of 2/2024-2/2027
Barbara Green, Old Forge, NY 13420

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of the Herkimer County Office for the Aging and the above appointee.

Dated: January 24, 2024.



HERKIMER COUNTY LEGISLATURE

No. 10

RESOLUTION APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

Sponsored by: Committee on Natural Resources

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

RESOLVED, that Bob D. Hollum, Chairman of the Herkimer County Legislature, Peter J. Campione, Vice-Chairman of the Herkimer County Legislature, Legislator Patrick E. Russell, Legislator William Weakley, Legislator Ray Donley, James W. Wallace, County Administrator,

be and hereby are designated as representatives of the County of Herkimer on the Intercounty Legislative Committee of the Adirondacks during the year 2024; and, be it further

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

Dated: January 24, 2024.



HERKIMER COUNTY LEGISLATURE

No. 11

REPORT AND RESOLUTION ADOPTING POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 2, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to adopt the Herkimer County Purchasing Policy for 2024; now, therefore, be it

RESOLVED, that the attached Policies and Procedures for Purchase of Goods and Services be, and hereby are, adopted as the official policies of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to each department head in the County.

Dated: January 24, 2024.

December 22, 2023
HERKIMER COUNTY
POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES

These procedures are adopted to assure the prudent and economical use of public money, and to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost and to guard against favoritism, extravagance, fraud and corruption.

MONETARY THRESHOLDS

Purchase Contracts less than \$20,000:

\$1-\$2,000

At the discretion of the Purchasing Department

\$1-\$5,000 Highway

\$2,001-\$10,000

\$5,001-\$10,000 Highway

Documented verbal quotes from at least three separate vendors (if available) and consultation with the Purchasing Department to determine delivered or installed costs

\$10,001-\$20,000

Documented written quotes from at least three separate vendors (if available) and consultation with the Purchasing Department and appropriate Committee of the Legislature, (to include State Contract Purchases) to determine delivered or installed costs

Over \$20,000

Sealed bids in conformance with the General Municipal Law.

Public Works Contracts less than \$35,000:

\$1 - \$2,000

At the discretion of Purchasing Department

\$2,001 - \$10,000

Documented verbal quotes from at least three separate sources (if available) and consultation with the Purchasing Department.

\$10,001 - \$35,000

Documented written quotes from at least three separate sources and consultation with the Committee of the Legislature involved.

Over \$35,000

Sealed bids in conformance with the General Municipal Law.

Purchase Contracts are contracts for the purchases of services, supplies, commodities or equipment.

Public Works are defined as labor or construction costs and building service contracts. Construction and labor contracts and building service contracts in excess of \$1,500 are also subject to **NYS Prevailing Wage**.

The above policies apply also to the Highway Department except that the requirement to consult with the Purchasing Department applies only to purchases requiring the specific authorization of the Legislature.

COMPETITIVE BIDDING

All contracts for Public Works involving an expenditure of more than Thirty-five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of more than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature, are subject to competitive bidding and shall be awarded to the lowest responsible bidder as provided by Article 5-A of the General Municipal Law.

Exceptions to Competitive Bidding:

Emergency Purchases – to qualify as an emergency the purchase must meet one of the following criteria:

- The purchase must arise from an accident or unforeseen circumstance.
- The purchase must affect life, health or safety issues.
- The purchase must require immediate action and justification must be provided as to why the bidding process cannot be followed.
- Emergency purchases must be approved by the Department Head, County Administrator or Purchasing/Deputy Purchasing Agent and all documentation must be submitted as soon as possible.

Surplus or Second Hand Equipment Purchases – may be purchased without a competitive bid if purchased from the Federal or State Government or any political subdivision within New York State. Purchases from private sources do not qualify.

Professional Services – Professional Services are considered to be:

- Services requiring specialized skills, licensing, training or expertise.
- Services requiring professional judgement or discretion.
- Services requiring a high level of creativity.
- When contracts for Professional Services will be more than \$10,000 a Request for Proposals should be developed between the department head and the purchasing department to solicit the vendor with the most cost effective services.
- Contracts for Professional Services.

III. AWARDING PURCHASES

- A. Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor, providing the goods are of equal values.
- B. Use of alternative purchasing methods including NYS Contracts, Contracts of other New York State Municipalities, “Piggybacking” on other governmental contracts, federal contracts, cooperative purchasing, preferred source, sole source and emergency purchases shall be governed by the provisions of New York State

General Municipal Law, Sections 103, 104 or 104-B or State Finance Law, Section 162 or other applicable provisions of law and properly documented.

- C. Best Value: The specific non-price criteria to be used for Best Value purchases must be detailed in the price solicitation and the analysis of the resulting quotes or bids using the specified criteria must be documented. The documentation should include cost benefit analysis where possible. Award for purchases can then be made to the bidder deemed to be the Best Value to the County with all of the aspects of the Purchasing Policy remaining the same, as per Herkimer County Local Law.

- IV. A. All purchases of goods or services (except transcription services, utilities, unscheduled repairs and otherwise authorized services) require a purchase order. Contracts up to \$10,000 may be signed by the department head provided all other purchasing policies, laws and resolutions of the Legislature are complied with and documented. All such contracts must be reviewed by Purchasing Department for compliance with Purchasing Policy prior to signing.

V. **PROFESSIONAL SERVICES PROCUREMENT POLICY**

Purchases of professional services, which are not required to be bid by State law, shall be governed by the following principles and practices:

- A. Contracts shall be executed for professional services, when appropriate, to delineate the services to be rendered and the method and amount of payment.
- B. Staff who seek approval to purchase professional services must seek to generate proposals to perform these services that are as appropriate to the County's needs and as cost-competitive as possible, by use of RFP's or RFQ's, etc. RFQ's may be used prior to RFP's or independently.
- C. The process to be followed in each new or renewal contract for professional services shall be proposed by the departmental staff person responsible for the services to the appropriate committee of the Legislature. The Purchasing Department must be copied (except for Highway fund requests) prior to consideration and approval by the appropriate committee. The hiring of those professionals may be authorized by the appropriate committee up to \$10,000. The full Legislature must approve professional services over \$10,000 annually or if additional funds must be appropriated (such as with grants).
- D. Where alternative quotes or proposals are obtained, awards to an entity other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.

- E. For certain types of procurements of professional services, the solicitation of alternative proposals or quotations would not be in the best interest of the County, for example, highly specialized services for which the number of qualified and available professionals is limited. In those instances, the hiring of those professionals may be authorized by the appropriate committee up to \$10,000 annually. The full Legislature must approve the contract if over \$10,000 annually without alternative quotes or RFP's after presentation to the committee of the justification for such a determination with the appropriate documentation.
- F. Any and all procedures not specifically addressed in this policy shall be governed by Section 103 or 104-b of the General Municipal Law.

VI. Any purchases of goods or services from an employee of Herkimer County or an immediate family member must be approved by the appropriate committees of the Legislature in addition to all other requirements.

VII. The following employees are authorized to make general purchases for Herkimer County (The list must be updated bi-annually):
 S. Ferdula, Budget Officer/Purchasing Agent
 P. Lumia, Deputy Purchasing Agent
 M. Nagele, County Highway Superintendent
 S. Tyoe, Deputy County Highway Superintendent
 K. Enea, Treasurer (credit card only)

The Chairman continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Schrader, Report and Resolution No. 12 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means reappointing County Administrator was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 12

RESOLUTION REAPPOINTING COUNTY ADMINISTRATOR

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

WHEREAS, by Local Law No. 3 for 1976, this Legislature established the position of County Administrator; now, therefore, be it

RESOLVED, that James W. Wallace, Jr., of Mohawk, New York, be, and he hereby is, reappointed County Administrator of the County of Herkimer for a term of three years commencing February 12, 2024, at the base annual salary of \$114,918; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, County Clerk, and James W. Wallace, Jr.

Dated: January 24, 2024.

County Administrator Wallace thanked the Legislature for his re-appointment stating it is and continues to be a privilege and honor to serve the legislature and residents of Herkimer County.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 13 sponsored by the Committee on County Properties and the Committee on Ways & Means extending a lease with Friends of Historic Herkimer County for the 1834 Jail was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 13

REPORT AND RESOLUTION EXTENDING A LEASE WITH FRIENDS OF HISTORIC HERKIMER COUNTY FOR THE 1834 JAIL

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

WHEREAS, by letter dated January 3, 2024 from James Greiner, he has requested on behalf of the Friends of Historic Herkimer County a renewal of a lease agreement for the Herkimer County Historic 1834 Jail for a period of five years, beginning December 1, 2023 through November 30, 2028; now, therefore be it

RESOLVED, that the lease agreement between the County of Herkimer and the Friends of Historic Herkimer County for the Herkimer County Historic 1834 Jail shall be extended from December 1, 2023 through November 30, 2028, and the Chairman of this Legislature is hereby authorized to execute the lease; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Malta, seconded by Mr. Ackerman, Report and Resolution No. 14 sponsored by the Committee on County Properties and the Committee on Ways & Means accepting grant for Restoration and Tourism Development, Phase Two Exterior, of the Historic 1834 Jail was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 14

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FOR RESTORATION AND TOURISM DEVELOPMENT, PHASE TWO EXTERIOR, OF THE HISTORIC 1834 JAIL

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

WHEREAS, by Resolution No. 13 adopted by this Legislature on January 24, 2024, a lease agreement between the County of Herkimer and the Friends of Historic Herkimer County for the Herkimer County Historic 1834 Jail was extended from December 1, 2023 through November 30, 2028; and

WHEREAS, that lease contains a clause which requires that all contracts for the repair or improvement of the premises shall be subject to the approval of the Herkimer County Legislature, and also shall be subject to NYS competitive bidding requirements and any and all other Herkimer County requirements for entering into contracts; and

WHEREAS, the Friends of Historic Herkimer County has applied for and received a grant for the restoration and tourism development of the deteriorated limestone walls and related work, in the amount of \$380,000 as described in the grant application prepared by C.T. Male Associates; and

WHEREAS, a grant agreement has been submitted by the NYS Office of Parks, Recreation and Historic Preservation, for execution by the Friends of Historic Herkimer County and the County, as owner of the premises; and

WHEREAS, it has been determined that the project is a prevailing wage project, subject to the competitive bidding requirements of the General Municipal Law, with the project to be administered by the Friends of Historic Herkimer County, through C.T. Male Associates, with appropriate documentation being submitted to the County of Herkimer to show compliance with the appropriate statutory and county standards; now, therefore, be it

RESOLVED, that the County of Herkimer hereby approves the acceptance of the above described grant and the execution of the grant agreement by the County of Herkimer, and further

approves of the work described in the grant application, subject to the requirement that the Friends of Historic Herkimer County shall supply to the County of Herkimer copies of all bidding documents, contracts, contract modifications, change orders, any and all financial information related to the administration of the grant and project, certified payrolls showing compliance with prevailing wage standards, and any and all other documents or records requested by the County of Herkimer for the project; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Friends of Historic Herkimer County, and NYS Office of Parks, Recreation and Historic Preservation.

Dated: January 24, 2024.

On motion of Mr. Donley, seconded by Mr. Gaworecki, Report and Resolution No. 15 sponsored by the Committee on Ways & Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 15

REPORT AND RESOLUTION GRANTING AN ADDITIONAL LEAVE OF ABSENCE

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 370 for the year 1986, a leave with pay was granted to Mary Sullivan extending to July 1, 1988, so that she could serve in a statewide office with the Civil Service Employees' Association; and

WHEREAS, said leave with pay was extended by resolutions thereafter, most recently by Resolution No. 279 of 2023; and

WHEREAS, by letter dated January 3, 2024, Timothy Seymour, Commissioner of Social Services, has advised that by letter dated December 29, 2023 Mary Sullivan has requested said leave be extended; now, therefore, be it

RESOLVED, that a leave of absence with pay be granted to Mary Sullivan under the terms and conditions set forth in Resolution No. 370 for the Year 1986 for the period from July 1, 2024 through June 30, 2025, with the Civil Service Employees' Association, Inc. to furnish insurance in form and amount satisfactory to the Herkimer County Administrator to protect the County if held liable for any damages arising from act or omission by such employee during the period of such leave and with the County to be reimbursed for the total cost for the full salary and total cost for fringe benefits for said Mary Sullivan; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Commissioner of Social Services, Mary Sullivan, and the Civil Service Employees' Association, Inc. of New York State.

Dated: January 24, 2024.

On motion of Mr. Weakley, seconded by Mr. Ackerman, Report and Resolution No. 16 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting funding and renewing an agreement in connection with Safe Harbour Grant for Herkimer County Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 16

REPORT AND RESOLUTION ACCEPTING FUNDING AND RENEWING AN AGREEMENT IN CONNECTION WITH SAFE HARBOUR GRANT FOR HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, Resolution No. 375 adopted December 14, 2022, authorized the Department of Social Services to apply for and claim Safe Harbour funding in the amount of \$43,350 from NYS Office of Children and Family Services for calendar year 2023; and

WHEREAS, by letter dated January 3, 2024, Timothy Seymour, Commissioner of Social Services, has requested to accept funding in the amount of \$30,000 for the 2024 calendar year and to authorize the Chairman to renew an agreement with Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357 to continue the role of Safe Harbor Facilitator in Herkimer County, at a cost not to exceed the \$30,000 awarded for the Herkimer County Safe Harbour funding for the year 2024; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an agreement with Catholic Charities of Herkimer County, in the amount of \$30,000 to provide services under a Safe Harbour Grant for the Herkimer County Department of Social Services, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall continue so long as 100% funding is available from the New York State Office of Children and Family Services; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Campione, Report and Resolution No. 17 sponsored by the Committee on Ways & Means authorizing space occupancy agreement with Congresswoman Stefanik's Office was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 17

REPORT AND RESOLUTION AUTHORIZING SPACE OCCUPANCY AGREEMENT WITH CONGRESSWOMAN STEFANIK'S OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 106 of 2023, authorized a space occupancy agreement with Congresswoman Stefanik's office; and

WHEREAS, by letter dated January 5, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised of a request for the Chairman to sign a space occupancy agreement with Congresswoman Elise Stefanik's office for space located within the Working Solutions Building; and

WHEREAS, said letter further advises the area will be approximately 1,100 square feet with three offices and a reception area, with the agreement to be on a month-to-month basis, while the remodel of the 108 Court Street building continues, with the rent payment being \$1,200 per month; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign a space occupancy agreement with Congresswoman Elise Stefanik's office for space located within the Working Solutions Building, on a month-to-month basis, and the rent being \$1,200 per month; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Employment & Training, and Congresswoman Stefanik.

Dated: January 24, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Brewer, Report and Resolution No. 18 sponsored by the Committee on County Properties and the Committee on Ways & Means concerning change order on contract for renovations in the Court Street building and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Keeler, Brezinski, Bick, Swartz, Bono, Ackerman, Donley, Campione, Russell, Weakley (15).

Against: None. Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 18

REPORT AND RESOLUTION CONCERNING CHANGE ORDER ON CONTRACT FOR RENOVATIONS IN THE COURT STREET BUILDING AND APPROPRIATING FUNDS

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

WHEREAS, by Resolution No. 258 of 2023, this Legislature awarded bids to complete the remodel of the 108 Court Street Building; and

WHEREAS, your Committees have been informed by letter dated January 4, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, that the County has been notified that a change order has been presented by Northern Pioneer Contractors to accommodate the doorway revision to split access between the two offices, which will increase the cost of the contract by \$1,647.97; and

WHEREAS, your Committees have reviewed said letter concerning said change order and recommend the acceptance of same; and

WHEREAS, the Budget Officer further advises that an appropriation of funds is necessary and that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation within the 2024 budget be made as follows:

\$1,647.97 From: A889N, County Building Reserve
To: H1620.40000, Project 16-4

and, be it further

RESOLVED, that the contract entered into pursuant to Resolution No. 258 of 2023 with Northern Pioneer Contractors to complete the electrical for the 108 Court Street Building remodel is hereby increased in the amount of \$1,647.97, bringing the total contract amount from \$87,822.76 to \$89,470.73; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to sign said change order on behalf of the County of Herkimer; 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, Budget Officer, and Northern Pioneer Contractors.

Dated: January 24, 2024.

On motion of Mr. Keeler, seconded by Mr. Donley, Report and Resolution No. 19 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending budget in connection with funding in Sheriff's Office was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 19

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH FUNDING IN SHERIFF'S OFFICE

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

WHEREAS, by letter dated January 4, 2024 from Scott Scherer, Herkimer County Sheriff, this Legislature is advised of a request for the Chairman of the Legislature to sign an agreement regarding the receipt of funding in the amount of \$18,328.00 from the U.S. Department Justice for a State Criminal Alien Assistance Program (SCAAP); and

WHEREAS, by letter dated January 4, 2024 from Sheri Ferdula, Budget Officer, this Legislature is advised that in anticipation of the SCAAP, it is necessary to amend the 2024 Budget; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign an agreement to receive a grant award in the amount of \$18,328.00 for a State Criminal Alien Assistance Program (SCAAP), with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the 2024 Herkimer County Budget is hereby amended as follows:

REVENUE:

A3150.4388, Jail, Alien Assistance

From: \$0

To: \$18,328

EXPENSE:

A3150.44000, Jail, Contracted Services

From: \$360,000

To: \$378,328

and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Malta, seconded by Mr. Weakley, Report and Resolution No. 20 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Salary Schedule No. III in the Probation Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Keeler, Brezinski, Bick, Swartz, Bono, Ackerman, Donley, Campione, Russell, Weakley (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 20

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN THE PROBATION DEPARTMENT

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

WHEREAS, by letter dated January 5, 2024 from Michael D. Scalise, Director of Probation, this Legislature is advised of a request to amend Salary Schedule No. III; and

WHEREAS, by letter dated January 5, 2024 from Steven Billings, Personnel Officer, requests to amend Salary Schedule No. III to delete one position of Probation Officer and add one position of Probation Officer Trainee in Account A3140 at an annual base pay rate of \$48,078; and

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

RESOLVED, that the 2024 Salary Schedule III is hereby amended in Account A3140 to delete one position of Probation Officer and add one position of Probation Officer Trainee, at an annual base pay rate of \$48,078; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 21 sponsored by the Committee on Ways & Means amending Resolution No. 378 of 2023 was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Keeler, Brezinski, Bick, Swartz, Bono, Ackerman, Donley, Campione, Russell, Weakley (15).

Against: None. Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 21

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 378 OF 2023

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 378 of 2023 adopted the hourly salary schedule; and

WHEREAS, by letter dated December 29, 2023, Kristen Snyder-Branner, Director of Community Services, has requested to amend the hourly salary schedule; and

WHEREAS, by letter dated January 5, 2024, Steven Billings, Personnel Officer, requests to amend the hourly salary schedule to add the title of Senior Community Health Nurse in Account A4320 at an hourly pay rate of \$29.70; and

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

RESOLVED, that the hourly salary schedule be amended to add the title of Senior Community Health Nurse in Account A4320 at an hourly rate of \$29.70; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Schrader, seconded by Mr. Swartz, Report and Resolution No. 22 sponsored by the Committee on Human Resources and the Committee on Ways & Means

authorizing contract with Aetna Network Services LLC in Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 22

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH AETNA NETWORK SERVICES LLC IN MENTAL HEALTH

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

WHEREAS, by letter dated December 27, 2023, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to enter into a contract with Aetna Network Services LLC, PO Box 818047, Cleveland, OH 44181, to allow the clinic to be a participating provider in their network and be able to bill this insurance company for outpatient mental health services; now, therefore, be it

RESOLVED, that the above-described contract with Aetna Network Services LLC is approved, and that the Chairman of this Legislature is hereby authorized to execute said contract; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Keeler, Report and Resolution No. 23 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract for services under Caregiver Support Program was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 23

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR SERVICES UNDER CAREGIVER SUPPORT PROGRAM

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

WHEREAS, by Resolution No. 142 duly adopted on May 16, 2001, this Legislature established a New York Elder Caregiver Support Program in the Herkimer County Office for the Aging; and

WHEREAS, by letter dated January 2, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a new contract with Marquis Home Care LLC for Title III E Caregiver Support Program respite contracts as outlined below, which is one of the requirements under said Caregiver Support Program, this program helps families keep their loved ones at home rather than in a nursing home and said Program is 75/25% federal funding with no overmatch; now, therefore, be it

RESOLVED, that this Legislature hereby approves a respite contract with the agency listed below under the Title III E, Caregiver Support Program of the Herkimer County Office for the Aging, for the period from January 1, 2024 through December 31, 2024, with services to be provided at the rates as outlined below:

Agency	Rate	Service
Marquis Home Care LLC	\$35.35/hr PC1 \$36.35/hr PC2	In-home respite

and, be it further

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

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

Dated: January 24, 2024.

On motion of Mr. Schrader, seconded by Mr. Swartz, Report and Resolution No. 24 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract with Marquis Home Care LLC in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 24

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH MARQUIS HOME CARE LLC IN THE OFFICE FOR THE AGING

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

WHEREAS, by letter dated January 3, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with Marquis Home Care LLC, 230 N. Main Street, Spring Valley NY 10977, for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs Program; and

WHEREAS, said contract will be for the period from January 1, 2024 through March 31, 2025; and

WHEREAS, Marquis Home Care LLC will be contracted for the aide services estimated to be \$88,000, with the hourly rate for PC1 at \$35.35 per hour and PC2 at \$36.35 per hour; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period of January 1, 2024 through March 31, 2025, between the Herkimer County Office for the Aging and Marquis Home Care LLC, for the EISEP Program and the Unmet Needs Program, estimated to be \$88,000, with the hourly rate for PC1 at \$35.35 per hour and PC2 at \$36.35 per hour; and, be it further

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

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

Dated: January 24, 2024.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 25 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant, amending budget, and creating account was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 25

REPORT AND RESOLUTION ACCEPTING GRANT, AMENDING BUDGET, AND CREATING ACCOUNT

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

WHEREAS, by letter dated January 4, 2024, Christina Cain, Director of Public Health has requested that this Legislature accept funding from the Community Foundation of Herkimer & Oneida Counties in the amount of \$5,000 to be used for the support and provision of Nurturing Parent Classes provided by the Healthy Families Program; and

WHEREAS, by letter dated January 4, 2024, from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2023 and create a revenue account in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2023 budget be amended as follows:

Revenue Account: (create)

A4189H.1989J, Healthy Families, Community Foundation \$5,000

Expense Account:

A4189H.44000, Healthy Families, Contracted Services From: \$0
To: \$5,000

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: January 24, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Swartz, Report and Resolution No. 26 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending budget and authorizing contract in connection with receipt of grant funds for Public Health Emergency Preparedness was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 26

REPORT AND RESOLUTION AMENDING BUDGET AND AUTHORIZING CONTRACT IN CONNECTION WITH RECEIPT OF GRANT FUNDS FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS

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

WHEREAS, by letter dated December 12, 2023, Christina Cain, Director of Public Health, has advised of receipt of a Public Health Emergency Preparedness Grant for the period from July 1, 2023 to June 30, 2024 in the amount of \$52,099 and requests a contract with the State of New York to provide reimbursement of expenses incurred by Herkimer County in the development of plans under said grant; and

WHEREAS, by letter dated January 4, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to amend the 2023 Operating Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the State of New York for a Public Health Emergency Preparedness Grant for the period from July 1, 2023 to June 30, 2024 in the amount of \$52,099, to provide reimbursement for expenses incurred by Herkimer County in the development of a Public Health Emergency Preparedness Plan; and, be it further

RESOLVED, that the 2023 Herkimer County Budget is hereby amended as follows:

Revenue:

A4188.4403-PH01-21	\$52,099
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Expenses:

A4188.10000-001-PH01-21	\$29,015
A4188.41000, PH01-21	\$2,951
A4188.46000, PH01-21	\$1,750
A4188.46100, PH01-21	\$1,000
A4188.81000, PH01-21	\$8,691
A4188.86000, PH01-21	\$8,692

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: January 24, 2024.

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 27 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant, amending budget, and creating account in the Public Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 27

REPORT AND RESOLUTION ACCEPTING GRANT, AMENDING BUDGET, AND CREATING ACCOUNT IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by letter dated December 13, 2023, Christina Cain, Director of Public Health, she has requested that this Legislature accept funding with the term of 1/1/24-12/31/24 to develop a Doula program in Herkimer County with the funding for year two at \$75,258.00, said funding will be distributed through Cayuga Community Health Network and will cover salaries, fringe and operational costs; and

WHEREAS, by letter dated January 4, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2024 and create accounts in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the above-described grant is hereby accepted and that the 2024 budget be amended as follows:

Revenue Account:

A4035.1689D, Doula Program	\$75,258
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Expense Account:

A4035.10000-001, Doula, Salaries,	\$25,000
A4035.41000, Doula, Supplies	\$5,462
A4035.42100, Doula, Telephone	\$600
A4035.43000, Doula, Insurance	\$1,000
A4035.44000, Doula, Contracted Services (Admin)	\$13,228
A4035.44000-370, Doula, Copier	\$250
A4035.44000-521, Doula, Rent	\$1,918
A4035.45000, Doula, Fees for Services	\$6000
A4035.46000-678, Doula, Advertising	\$5,000
A4035.46100, Doula, Mileage	\$200

A4035.46300, Doula, Postage	\$1,000
A4035.86000, Doula, Health Insurance	\$15,600

and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to sign a Memorandum of Understanding with Cayuga Community Health Network; and

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

Dated: January 24, 2024.

On motion of Mr. Schrader, seconded by Mr. Russell, Report and Resolution No. 28 sponsored by the Committee on Ways & Means authorizing execution of annual accounting system maintenance agreement was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 28

REPORT AND RESOLUTION AUTHORIZING EXECUTION OF ANNUAL ACCOUNTING SYSTEM MAINTENANCE AGREEMENT

Sponsored by: Committee on Ways and Means

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

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

WHEREAS, by letter dated December 13, 2023, Kim Enea, County Treasurer, has requested that a new agreement be entered into with Tyler Technologies for the year 2024 at a cost of \$55,850.08; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Tyler Technologies, 5101 Tennyson Pkwy., Plano, TX 75024 for financial management software, payroll software, support service, and maintenance, for the year 2024 in the amount of \$55,850.08; and, be it further

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

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

Dated: January 24, 2024.

On motion of Mr. Brewer, seconded by Mr. Keeler, Report and Resolution No. 29 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving amendment to lease agreement for Honey Hill Communications tower was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 29

REPORT AND RESOLUTION APPROVING AMENDMENT TO LEASE AGREEMENT FOR HONEY HILL COMMUNICATIONS TOWER

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

WHEREAS, Resolution No. 144 of 2022 approved a lease agreement for Honey Hill Communications Tower with Tarpon Towers II LLC of Lakewood Ranch, Florida; and

WHEREAS, by letter dated December 21, 2023 from John J. Raymond, Director of Emergency Services, this Legislature is advised of a request to sign an amendment to the lease agreement with Tarpon Towers II, LLC of Lakewood Ranch, Florida, for clarity on which antennas are installed on the tower; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign an amendment to the lease agreement with Tarpon Towers II, LLC for a communication tower located on Honey Hill in the Town of Newport; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Campione, seconded by Mr. Swartz, Report and Resolution No. 30 sponsored by the Committee on Highways and the Committee on Ways & Means amending budget in the Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 30

REPORT AND RESOLUTION AMENDING BUDGET IN THE HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated January 4, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2023 Budget to account for additional projects being completed throughout the year; now, therefore, be it

RESOLVED, that the 2023 Herkimer County Budget is hereby amended as follows:

D9552.3501, County Road, Consolidated Hwy Imp.	From: \$7,745,680
	To: \$8,425,680
D9552.90200, County Road, Provision for Construction	From: \$7,745,680
	To: \$8,425,680

and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 31 sponsored by the Committee on Highways approving project under Article 6 Section 116 of the Highway Law was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 31

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 from Mark Nagele, County Superintendent of Highways, dated January 3, 2024, 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 2024, 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 designates 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
433	Rehabilitation of a portion of Little Lakes Road CR 131 T/Warren	Rehabilitation	\$900,000.00

and, be it further

RESOLVED, that this project will be funded by CHIPS monies; 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: January 24, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 32 sponsored by the Committee on Highways and the Committee on Ways & Means awarding bid for live bottom trailer in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 32

REPORT AND RESOLUTION AWARDING BID FOR LIVE BOTTOM TRAILER IN HIGHWAY DEPARMTENT

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

WHEREAS, by letter dated December 20, 2023, Mark Nagele, Superintendent of Highways, has advised that bids were received to purchase a Live Bottom Trailer and recommends the bid be awarded to Tracey Road Equipment; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of a Live Bottom Trailer from Tracey Road Equipment, in the amount of \$120,590.00, with CHIPS funding being used for said purchase; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 33 sponsored by the Committee on Highways and the Committee on Ways & Means approving purchases for equipment in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 33

REPORT AND RESOLUTION APPROVING PURCHASES FOR EQUIPMENT IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated November 21, 2023, Mark Nagele, County Highway Superintendent, has requested approval for purchase of equipment for the Highway Department, with CHIPS funds being used to pay for the below purchases:

EQUIPMENT	ESTIMATED COST
A. One (1) Trailer Mounted Impact Attenuator Trailer NYS OGS Award 23244 Contract PC96498 TraFFix Devices, Inc. 160 Avenida La Pata San Clemente, CA 92673	\$31,471.29
B. Two (2) Auto Flaggers Onondaga County Contract #0010997 JC Smith, Inc., 394 Oriskany Blvd., Whitesboro, NY 13492	\$23,100.00
Total	\$54,571.29

now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the purchase of items listed above from the companies listed (Items A and B); and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 34 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means amending budget in the Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 34

REPORT AND RESOLUTION AMENDING BUDGET IN THE BOARD OF ELECTIONS

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

WHEREAS, by letter dated January 4, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the Commissioners of Elections are requesting amendments to the 2024 Budget to add grant funding previously approved by the Legislature; and

WHEREAS, said letter further advises that a budget amendment and the creation of accounts will be necessary to utilize this funding; now, therefore, be it

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

Create:

A1450N.3089R, Poll Book Capital Grant, State Aid	\$16,425.40
A1450N.41000, Poll Book Capital Grant, Supplies	\$5,000
A1450N.44000, Poll Book Capital Grant, Contracted Services	\$11,425.40

Amend:

A1450H.3089H, BOE, Early Voting, State Aid	From: \$0
	To: \$28,345.18
A1450H.41000, BOE, Early Voting, Supplies	From: \$0
	To: \$10,000
A1450H.44000, BOE, Early Voting, Contracted Services	From: \$0
	To: \$18,345.18

and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 35 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means extending contract for printing ballots was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 35

REPORT AND RESOLUTION EXTENDING CONTRACT FOR PRINTING BALLOTS

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

WHEREAS, Resolution No. 105 of 2018 authorized a contract with Phoenix Graphics, Inc., 1525 Emerson Street, Rochester, New York 14606, for the provision of optical scan ballot

printing for the Herkimer County Board of Elections, with said contract to be for a three-year period from June 1, 2018 to May 31, 2021, with three one-year renewals at the option of the County; and

WHEREAS, by letter dated December 19, 2023 from the Commissioners of Elections, a request has been made to extend the contract with Phoenix Graphics, Inc. for a one-year period of June 1, 2024 through May 31, 2025, with no price increase for the one-year extension; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is authorized to execute an addendum confirming and authorizing the above agreement, with the form of said contract 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 County Treasurer, Auditor, Budget Officer, Commissioners of Elections, and Phoenix Graphics, Inc.

Dated: January 24, 2024.

On motion of Mr. Schrader, seconded by Mr. Gaworecki, Report and Resolution No. 36 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing early voting payment was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 36

REPORT AND RESOLUTION AUTHORIZING EARLY VOTING PAYMENT

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

WHEREAS, by letter dated January 2, 2024 by Kim S. Tranter and Robert J. Hoyt, Commissioners of Elections, have requested the use of Holy Family Parish, in the City of Little Falls, as the 2024 Early Voting site; and

WHEREAS, letter further requests the use of the Holy Family Parish gymnasium for early voting for the three elections to be held in 2024, at a rate of \$125 per day; now, therefore, be it

RESOLVED, that the Legislature of Herkimer County approves the use of the gymnasium at Holy Family Parish in the City of Little Falls as the early voting site for three elections in 2024, at a rate of \$125 per day; and be it further

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

Dated: January 24, 2024.

On motion of Mr. Russell, seconded by Mr. Donley, Report and Resolution No. 37 sponsored by the Committee on Ways & Means correcting tax rolls was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 37

REPORT AND RESOLUTION CORRECTING TAX ROLLS

Sponsored by: Committee on Ways & Means

WHEREAS, by letters dated January 8, 2024 from Beth Sadlon, Director of Real Property Tax Services, this Legislature is informed that errors were made on the 2024 Town and County Tax Roll on the properties listed below in that an incorrect school tax relevy was placed on the Town and County Tax Roll, which was already paid; and

WHEREAS, applications have been made to correct said tax roll by the reduction of said tax bill; and

WHEREAS, your Committee has caused to be reviewed said applications and the report of the Real Property Tax Director and recommends approval of the applications for the parcels set forth below; now, therefore, be it

RESOLVED:

1. That this Legislature finds an error exists in the tax roll for the parcels listed below:

City: Little Falls
Tax Map No. 114.68-6-42

Owners: Little Falls Enterprises
Address: 542 E. Main Street
Little Falls, NY 13365

Amount Billed: \$3,920.92

Corrected Tax: \$575.00

City: Little Falls
Tax Map No. 114.59-4-16

Owners: Richard Ruggiero
Address: 245 Church Street
Little Falls, NY 13365

Amount Billed: \$3,006.03

Corrected Tax: \$440.83

Town: Little Falls Tax Map No. 114.1-1-25.5	Owners: Richard Ruggiero Address: 1052 Shells Bush Road Little Falls, NY 13365
<u>Amount Billed: \$4,301.98</u>	<u>Corrected Tax: \$1,022.43</u>
Town: Frankfort Tax Map No. 112.73-3-23	Owners: Iocovozzi, VJ Funeral Address: 203 Second Ave. Frankfort, NY 13340
<u>Amount Billed: \$14,418.04</u>	<u>Corrected Tax: \$7,822.16</u>
Town: Frankfort Tax Map No. 112.65-1-14	Owners: Iocovozzi, VJ Funeral Address: 206-212 Mary Street Frankfort, NY 13340
<u>Amount Billed: \$15,212.25</u>	<u>Corrected Tax: \$7,960.05</u>
Town: Frankfort Tax Map No. 112.73-1-43	Owners: Sifert Huskic Address: 500 Frankfort Street Frankfort, NY 13340
<u>Amount Billed: \$3,773.72</u>	<u>Corrected Tax: \$924.36</u>
City: Little Falls Tax Map No. 115.62-1-68	Owners: Sharon Dunphy Address: 184 Burwell Street Little Falls, NY 13365
<u>Amount Billed: \$3,247.32</u>	<u>Corrected Tax: \$476.22</u>

2. That this Legislature approves the applications to correct the errors by making notation on the application and the copies thereof that the applications are approved and by entering thereon the correct amount of taxes;

3. That an order is hereby made that the corrected tax is as set forth on the application forms and the officer having jurisdiction of the indicated tax rolls are directed to correct such rolls;

4. That the Clerk of the Legislature is directed to transmit immediately to the collector of taxes of the indicated city/town the application and a copy of this Resolution and mail notice to the applicant that the application has been approved, and file the copy of this application with the records of the tax levying body;

5. That certified copies of this Resolution be forwarded to the Director of Real Property Tax Services, the Herkimer County Treasurer, the tax collector of the city/town listed, and the above listed applicants.

Dated: January 24, 2024.

On motion of Mr. Bick, seconded by Mr. Russell, Report and Resolution No. 38 sponsored by the Committee on Ways & Means relating to cancellation of taxes on parcel number 118.1-2-16.1 in the Town of Frankfort was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 38

REPORT AND RESOLUTION RELATING TO CANCELLATION OF TAXES ON PARCEL NUMBER 118.1-2-16.1 IN THE TOWN OF FRANKFORT

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the letter from Jennifer Casey, County Property Agent, dated November 29, 2023, requesting cancellation of real property taxes on Tax Map Parcel No. 118.1-2-16.1 in the Town of Frankfort due to error on the assessment roll for Town of Frankfort; and

WHEREAS, by letter of Beth Sadlon, Director of Herkimer County Real Property Tax Service Agency, dated February 23, 2023, with attached copy of Application for Corrected Tax Roll by parcel owners, states that property information for the above parcel was switched with another parcel, resulting in a clerical error as defined in Real Property Tax Law Sec. 550(2)(g), said letter recommending correction; now, therefore, be it

RESOLVED, that real property taxes on the above parcel in the Town of Frankfort be cancelled in the amount of \$1,975.73, said amount being the base tax payment plus interest/penalties; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, Director of Real Property Tax Services, Town of Frankfort Assessor.

Dated: January 24, 2024.

On motion of Mr. Brewer, seconded by Mr. Bick, Report and Resolution No. 39 sponsored by the Committee on County Properties authorizing the Herkimer County Treasurer on behalf of Herkimer County to proceed with In Rem tax foreclosure of three parcels in the Town of Frankfort was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Keeler, Brezinski, Bick, Swartz, Bono, Ackerman, Donley, Campione, Russell, Weakley (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 39

REPORT AND RESOLUTION AUTHORIZING THE HERKIMER COUNTY TREASURER ON BEHALF OF HERKIMER COUNTY TO PROCEED WITH IN REM TAX FORECLOSURE OF THREE PARCELS IN THE TOWN OF FRANKFORT

Sponsored by: Committee on County Properties

WHEREAS, the premises known as Tax Map Parcel No. 119.27-1-13 and 14 (a vacant gasoline/automotive service station) in the Town of Frankfort are part of the 2021 In Rem proceedings brought by the County of Herkimer; and

WHEREAS, the premises known as Tax Map Parcel No. 119.27-1-15 (a vacant former residential lot) in the Town of Frankfort, are part of the 2021 In Rem proceedings brought by the County of Herkimer; and

WHEREAS, by Orders dated June 20, 2022, the Hon. Thaddeus Luke granted Temporary Incidents of Ownership to Herkimer County pursuant to Environmental Conservation Law Article 56 to conduct environmental review of the above premises; and

WHEREAS, by Agreement between Herkimer County and the Herkimer County Industrial Development Agency (hereafter "IDA"), the IDA retained HRP Associates, Inc., to complete Phase I and Limited Phase II Environmental Site Assessments of the three above contiguous parcels; and

WHEREAS, pursuant to Resolution No. 108 of December 30, 2022, the Town of Frankfort has agreed to take title to the above premises upon completion of remediation to convert the premises to public use for the benefit of residents and visitors to the Town; and

WHEREAS, the above parties have continued to work with the New York State Comptroller and the New York State Department of Environmental Conservation to complete environmental review and site cleanup; now, therefore, be it

RESOLVED, that prior to taking title to the above parcels through the In Rem process, written assurance shall be obtained from the New York State Office of the Comptroller and/or New York State Department of Environmental Conservation, stating that Herkimer County will be held harmless from any liability resulting from petroleum based environmental contamination, such written assurance being satisfactory to the Herkimer County Attorney; and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 40 sponsored by the Committee on Ways & Means amending 2024 budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 40

REPORT AND RESOLUTION AMENDING 2024 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated January 14, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that in order to fulfill the Legislature's commitment to the NYS Tourism Promotion Program, I Love NY, an amendment to the 2024 budget will be necessary to ensure the correct amount of funding; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended as follows:

EXPENSE:

A6410.44000, County Promotion, Contracted Services	From:	\$82,600
	To:	\$83,094

and, be it further

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

Dated: January 24, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Resolution No. 41 sponsored by the Committee on County Planning & Development authorizing the designation of certifying officer for responsible entity for environmental review purposes as required under programs administered by the United States Department of Housing and Urban Development was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 41

RESOLUTION AUTHORIZING THE DESIGNATION OF CERTIFYING OFFICER FOR RESPONSIBLE ENTITY FOR ENVIRONMENTAL REVIEW PURPOSES AS REQUIRED UNDER PROGRAMS ADMINISTERED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sponsored by: Committee on County Planning & Development

WHEREAS, to receive Community Development Block Grant (CDBG) funds and other funds administered by the United States Department of Housing and Urban Development (HUD), the County of Herkimer must comply with the requirements of the National Environmental Policy Act (NEPA) of 1969, and related federal environmental laws and executive orders; and

WHEREAS, Environmental Assessments, Requests for Release of Funds, Certifications, and other related documents must be approved and signed by a designated Certifying Officer, as that person is defined in Section 102 of NEPA and related statutory provisions, who is authorized to assume the status of responsible official under NEPA and related authorities; now, therefore, be it

RESOLVED, that the County of Herkimer names Robert D. Hollum, Chairman of the Herkimer County Legislature, as Certifying Officer and hereby authorizes him to take and direct all actions necessary and proper to comply with the environmental review regulations contained in NEPA.

Dated: January 24, 2024.

On motion of Mr. Weakley, seconded by Mr. Donley, Resolution No. 42 sponsored by the Committee on Ways & Means approving standard work day and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 42

RESOLUTION APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

Sponsored by: Committee on Ways and Means

RESOLVED, that the Herkimer County Legislature hereby establishes the following as standard work days for elected and appointed officials to report days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy-mm/dd/yy)	Record of Activities Result	Not Submitted: (Check only if official did not submit their Record of Activities)
Elected Officials								
Legislator	6	Robert J. Schrader	████	██████		01/01/24-12/31/25	18.86	
Legislator	6	John L. Brezinski	████	██████		01/01/24-12/31/25	6.65	
Legislator	6	Vincent J. Bono	████	██████		01/01/24-12/31/25	16.60	
Legislator	6	Peter J. Campione	████	██████		01/01/24-12/31/25	4.27	
Legislator	6	William Weakley	████	██████		01/01/24-12/31/25	5.69	
Appointed Officials								
Assistant County Atty.	6	Kyle Crandall	████	██████		01/01/24-12/31/25	9.80	
Assistant County Atty.	7	Karen Mowers	████	██████		01/01/24-12/31/25	22.12	

Undersher iff	7	Scott Leskova r				01/01/24- 12/31/27	22.98	
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and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Personnel Officer, and Principal Account Clerk in the Treasurer’s Office.

Dated: January 24, 2024.

On motion of Mr. Bono, seconded by Mr. Campione, Resolution No. 43 sponsored by the Committee on County Properties setting public hearing pursuant to Not-for-Profit Corporation Law was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Bennett, Shaw (2).



HERKIMER COUNTY LEGISLATURE

No. 43

REPORT AND RESOLUTION SETTING PUBLIC HEARING PURSUANT TO NOT FOR PROFIT CORPORATION LAW

Sponsored by: Committee on County Properties

WHEREAS, the premises known as Tax Map Parcel No. 113.81-6-6 (former Masonic Lodge) are part of the 2021 In Rem proceedings brought by the County of Herkimer; and

WHEREAS, by Order dated November 14, 2022, the Hon. Thaddeus Luke granted Temporary Incidents of Ownership to Herkimer County pursuant to Environmental Conservation Law Article 56 to conduct environmental review of the above premises; and

WHEREAS, by Agreement between Herkimer County and the Herkimer County Industrial Development Agency (hereafter “IDA”), the IDA retained HRP Associates, Inc., to complete Phase I and Limited Phase II Environmental Site Assessments of the above premises; and

WHEREAS, a copy of the Final Environmental Review has been filed with the Court pursuant to Environmental Conservation Law Article 56; and

WHEREAS, the future disposition of the above parcel is the subject of ongoing negotiations between the County of Herkimer and the IDA and the Herkimer Local Development Corporation (hereafter “LDC”); and

WHEREAS, this Legislature has been informed that certain deadlines must be met to meet grant application deadlines; now therefore be it

RESOLVED, as required by Not-For-Profit Corporation Law Sec. 1411(d)(3) and (4), a public hearing on any agreement to transfer the above premises from the County to the LDC shall be held on February 14, 2024 at 6:25 p.m. and notice thereof shall be published at least ten (10) days before the date of such hearing in such publication and such manner as the Legislature has determined; and, be it further

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

Dated: January 24, 2024.

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

At 7:39 p.m. on motion of Mr. Malta, seconded by Mr. Ackerman, the Legislature adjourned to Wednesday, February 14, 2024 at 7:00 p.m., with a Public Hearing at 6:25 p.m.

Brittney R. Viscomi, Clerk