

MINUTES
Herkimer County Legislature
First Quarter – Third Day
Wednesday, February 14, 2024
7:00 p.m.

Public Hearing

The Public Hearing pursuant to Not-For-Profit Corporation Law on an agreement to transfer 415 North Main Street in the Village of Herkimer, known as Tax Map Parcel No 113.81-6-6, from the County of Herkimer to the Herkimer Local Development Corporation was called to order at 6:30 p.m. by Legislator Mark Gaworecki, Chairman of the Committee on County Properties. The Clerk read the notice of the hearing. Mr. Gaworecki then asked if there was anyone wishing to speak. There were no requests to speak and the hearing was declared closed at 6:31 p.m.

Brittney R. Viscomi, Clerk
Herkimer County Legislature

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer, New York, will meet in the Legislative Chambers on February 14, 2024 at 6:25 p.m. for the purpose of holding a public hearing pursuant to Not-For-Profit Corporation Law on an agreement to transfer 415 North Main Street in the Village of Herkimer, known as Tax Map Parcel No 113.81-6-6, from the County of Herkimer to the Herkimer Local Development Corporation.

FURTHER NOTICE IS HEREBY GIVEN that a copy of the proposed agreement will be available prior to the hearing at the Office of the Clerk of the Herkimer County Legislature, 109 Mary Street, Suite 1310, Herkimer, New York, where it may be procured by any interested person during business hours.

Dated: February 5, 2024.

Brittney R. Viscomi, Clerk
Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Robert D. Hollum at 7:00 p.m.

Chairman Hollum called on Legislator Ron Beach, Jr., 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, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Russell, Weakley (16).

Absent: Shaw (1).

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 24, 2024. There were none, and the Chairman ordered them approved.

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. 61 – A communication was received from the Director of Community Services submitting recommendations for Community Services Board members. Filed.

No. 62 – A communication was received from the Director of the Office for the Aging advising of renewal of contract for West Winfield home delivered and congregate meals. Filed.

No. 63 – A communication was received from the Herkimer County Soil & Water Conservation District submitting 2023 Annual Report. Filed.

No. 64 – A communication was received from Senator Walczyk advising of receipt of Resolution No. 434. Filed.

No. 65 – A communication was received from Capital District OTB submitting financial report for October 2023. Filed.

No. 66 – A communication was received from the County Auditor submitting tax corrections for the month of January 2024. Filed.

No. 67 – A communication was received from Chairman Hollum submitting letter to Vice Chairman to preside in his absence. Filed.

No. 68 – A communication was received from the Commissioners of Elections requesting Early Voting postcard. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 69 – A communication was received from the Executive Director of the Youth Bureau submitting recommendations for Youth Advisory Board. Referred to the Committee on County Planning & Development.

No. 70 – A communication was received from the Director of Public Health requesting Chairman to sign contracts for the provision of education/related services to preschool children. Referred to the Committee on Human Resources.

No. 71 – A communication was received from the Sewer District submitting resolution for work clothing annual reimbursement. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 72 – A communication was received from the Director of Weights and Measures submitting 2023 Annual Report. Referred to the Committee on Natural Resources.

No. 73 – A communication was received from the Director of Community Services submitting 2023 Annual Report. Referred to the Committee on Human Resources.

No. 74 – A communication was received from the Director of the Office for the Aging submitting 2023 Annual Report. Referred to the Committee on Human Resources.

No. 75 – A communication was received from the Personnel Officer submitting 2023 Annual Report for the Stand Alone Workers Compensation self-insurance coverage. Referred to the Committee on Ways & Means.

No. 76 – A communication was received from the Personnel Officer submitting 2023 Annual Report for the former Herkimer County Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways & Means.

No. 77 – A communication was received from the Executive Director of the Youth Bureau submitting 2023 Annual Report. Referred to the Committee on County Planning & Development.

No. 78 – A communication was received from the County Administrator requesting Resolution to renew contract with Strategic Development Specialists. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 79 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. III in the Public Health Department. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 80 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to petty cash account in Public Health. Referred to the Committee on Ways & Means.

No. 81 – A communication was received from the Personnel Officer requesting renewal of memberships at the Youth and Family Centers of Little Falls and Mohawk for county employees. Referred to the Committee on Ways & Means.

No. 82 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers, budget amendment, and account closures in 2023 budget. Referred to the Committee on Ways & Means.

No. 83 – A communication was received from the Director of the Office for the Aging requesting EISEP & Unmet Need Program contract renewals. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 84 – A communication was received from the Director of the Office for the Aging requesting HIICAP contract renewal. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 85 – A communication was received from the Director of the Office for the Aging requesting renewal of NY Connects Expansion & Enhancement. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 86 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of account and transfer for Healthy Families Program. Referred to the Committee on Ways & Means.

No. 87 – A communication was received from the Budget Officer/Purchasing Agent requesting to award contract for roof replacement of 108 Court Street. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 88 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of account and budget amendment in connection with NYS Division of Criminal Justice Services for County Pretrial Services funding. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 89 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of revenue account and an amendment to the 2023 budget. Referred to the Committee on Ways & Means.

No. 90 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in the Highway Department. Referred to the Committee on Ways & Means.

No. 91 – A communication was received from the Sewer District submitting resolution for annual field use leases. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 92 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of change orders and appropriation of funds. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 93 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with CDBG funding. Referred to the Committee on Ways & Means.

No. 94 – A communication was received from the Sewer District submitting resolution for tractor purchase. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 95 – A communication was received from the Commissioners of Elections requesting update to User Agreement with school districts. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 96 – A communication was received from the Commissioners of Elections requesting increase in fees paid for use of voting sites. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 97 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of purchase and appropriation of funds in the Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 98 – A communication was received from the Sheriff requesting purchase of software upgrade and service contract agreement for ID and access card system. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means

No. 99 – A communication was received from the Commissioner of Social Services requesting contract with SUNY Poly. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 100 – A communication was received from the Director of Real Property Tax Services submitting request for tax roll corrections. Referred to the Committee on Ways & Means.

No. 101 – A communication was received from the Chairman of the Legislature making appointment of legislator to fill vacancy in District No. 11. Filed.

No. 102 – A communication was received from the Budget Officer/Purchasing Agent requesting authorization for the Chairman to sign a voucher in connection with American Rescue Plan funding. Referred to the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Hollum then proceeded with Reports of Standing Committees. Legislator Gaworecki, Chairman of the County Properties Committee gave an update on all of the current projects.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Resolution No. 44 – Resolution No. 51 were handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).

Consent Agenda:

- 44 HUMAN RES.: Adopting Annual Report of Herkimer County Mental Health Svcs.
- 45 WAYS & MEANS: Adopting Annual Report of Stand Alone Workers' Comp. Plan
- 46 WAYS & MEANS: Adopting Annual Report of Former Self-Insurance Plan
- 47 HUMAN RES.: Adopting Annual Report of the Herkimer County OFA
- 48 CO. PLNG. & DEV.: Adopting Annual Report of Youth Bureau
- 49 NAT. RESOURCES: Adopting Annual Report of Director of Weights and Measures
- 50 WAYS & MEANS: Determining officers and employees of Herkimer County required to file financial disclosure forms
- 51 WAYS & MEANS: Authorizing transfers of funds, budget amendments, and account closures in 2023 budget



HERKIMER COUNTY LEGISLATURE

No. 44

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY MENTAL HEALTH SERVICES

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the 2023 Annual Report of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2023 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2023.

Dated: February 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 45

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2023,

respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2023 be adopted and filed with the Herkimer County Legislature.

Dated: February 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 46

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2023, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2023 be adopted and filed with the Herkimer County Legislature.

Dated: February 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 47

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

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 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 Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2023.

Dated: February 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 48

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on County Planning and Development

WHEREAS, your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau for the year 2023 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 Youth Bureau for the year 2023 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: February 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 49

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF DIRECTOR OF WEIGHTS AND MEASURES

Sponsored by: Committee on Natural Resources

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report of the Director of Weights and Measures for the year 2023, reports that we have examined said report, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Director of Weights and Measures be adopted and filed with the Herkimer County Legislature for the year 2023.

Dated: February 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 50

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

Sponsored by: Committee on Ways and Means

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

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

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

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

Dated: February 14, 2024.

2024 Schedule A

Legislators (16)
Chairman (1)
County Administrator
Clerk of the Legislature
Deputy Clerk of the Legislature
District Attorney
Assistant District Attorney (3)
Coroners (4)
County Auditor
Deputy County Auditor
County Treasurer
Deputy County Treasurer
County Property Agent
Budget Officer & Purchasing Agent
Deputy Purchasing Agent
Real Property Tax Service Director
County Clerk/Records Management Officer
Deputy County Clerk
Deputy County Clerk of the DMV
County Attorney

Assistant County Attorney (2)
Personnel Officer/Safety Coordinator
Sheriff
Undersheriff
Chief Deputy (2)
Principal Account Clerk
Lieutenant (2)
Board of Elections Commissioner (2)
Information Services Director
Information Services Deputy Director
STOP-DWI Coordinator
Director of Probation
Director of Public Health
Director of Health Services
Supervising Community Health Nurse (2)
Director of Community Services
Administrative Officer, Mental Health
Commissioner of Social Services
DSS Attorney (2)
Director of Social Services
Special Assistant to Commissioner/Personnel Staff Developer
Director of Administrative Services (DSS)
Head Social Welfare Examiner
Managed Care Coordinator
WMS Coordinator
Child Support Enforcement Coordinator
Social Services Employment Coordinator
Veterans' Service Agency Director
Director of Weights and Measures
Director of Office for the Aging
Assistant Director of Office for the Aging
Employment and Training Director II
Executive Director of the Youth Bureau
County Building Maintenance Foreperson
Chief Plant Operator – Sewer District
Sewer Board Chairman
Sewer Board Commissioners (4)
County Highway Superintendent
Deputy Highway Superintendent
Highway Maintenance Supervisor
Assistant Highway Maintenance Supervisor
Highway Senior Civil Engineer
Principal Civil Engineer
Director of Emergency Services
Deputy Director of Emergency Services
Supervising Public Safety Telecommunicator

IDA CEO
IDA CFO

COMMITTEES, BOARDS AND COUNCILS

Governmental Policy and Liaison Committee (GP&L)
Ethics Board
Herkimer County Planning Board
Herkimer County Industrial Development Agency

HERKIMER COUNTY COMMUNITY COLLEGE:

President
Trustee (8)
Officer in Charge/Senior Vice-President for Administration and Finance
Dean of Students/Director of Athletics
Provost
Controller
Director of Library Services
Associate Dean of Academic Affairs – Humanities/Soc.
Sciences/Business/Health/Science/Tech.
Associate Dean of Academic Affairs –
Purchasing Agent
Director of Campus Safety
Director of Public Relations
Assistant Director of Facilities (2)
Director of Information Technology



HERKIMER COUNTY LEGISLATURE

No. 51

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS, BUDGET AMENDMENTS, AND ACCOUNT CLOSURES IN 2023 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer/Purchasing Agent, dated January 29, 2024, submitting requests for transfers of funds, budget amendments, and account closures in the 2023 budget, reports that we have examined said communication, inquired into the subject matters thereof, and recommend that said transfers, budget amendments, and account closures be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts, make the following budget amendments, and account closures in the 2023 budget:

\$1,772	From: A1680.10000-001, IS, Salaries To: A1040.10000-001, Clerk of the Legislature, Salaries
\$145.32	From: A1680.10000-001, IS, Salaries To: A1040.44000-370, Clerk of the Legislature, Copier
\$8,000	From: A1680.10000-001, IS, Salaries To: A1010.86000, Legislature, Health Insurance
\$186,656	From: A6100.40000, Medicaid, Miscellaneous Expense To: A1170.45000-F, Public Defender, Fees for Services, Felony
\$4,684	From: A1680.10000-001, IS, Salaries To: A1185.10000-001, Coroner, Salaries
\$21,630	From: A1680.10000-001, IS, Salaries To: A1185.45000, Coroner, Fees for Services
\$1,373	From: A1680.10000-001, IS, Salaries To: A1185.81000, Coroner, Retirement
\$1,958.85	From: A1680.10000-001, IS, Salaries To: A1320.10100, Auditor, Temporary Employees
\$323	From: A1680.10000-001, IS, Salaries To: A1320.44000, Auditor, Contracted Services
\$3,000	From: A1680.10000-001, IS, Salaries To: A1320.86000, Auditor, Health Insurance
\$732	From: A1325.45000, Treasurer, Fees for Services To: A1325.10000-001, Treasurer, Salaries
\$7,000	From: A1326.46300, Co. Treasurer Property, Postage To: A1325.86000, Treasurer, Health Insurance
\$2,600	From: A1326.46300, Co. Treasurer Property, Postage To: A1326.86000, Co. Treasurer Property, Health Insurance
\$425	From: A1340.44000, Budget & Purchasing, Contracted Services To: A1340.10000-001, Budget & Purchasing, Salaries
\$600	From: A1340.44000, Budget & Purchasing, Contracted Services To: A1340.86000, Budget & Purchasing, Health Insurance
\$1,762	From: A1355.41000, Real Property, Supplies To: A1355.10000-001, Real Property, Salaries
\$2,000	From: A1355.41000, Real Property, Supplies To: A1355.86000, Real Property, Health Insurance
\$3,737	From: A1680.10000-001, IS, Salaries To: A1420.10000-001, County Attorney, Salaries
\$5,030	From: A1680.10000-001, IS, Salaries To: A1430.10000-001, Personnel, Salaries
\$3,100	From: A1680.10000-001, IS, Salaries To: A1430.86000, Personnel, Health Insurance
\$3,300	From: A1680.10000-001, IS, Salaries To: A1450.86000, BOE, Health Insurance
\$2,439	From: A1620.42000, Buildings, Utilities To: A1620.10000-001, Buildings, Salaries
\$930	From: A1680.10000-001, IS, Salaries To: A1680.22000, IS, Computer Equipment

\$2,282	From: A1680.10000-001, IS, Salaries To: A1910.43000, Insurance, Insurance
\$49.00	From: A1680.10000-001, IS, Salaries To: A1920.46000, Dues, Miscellaneous Expense
\$1,113	From: A2960.44000, Ed. Of Handicapped Children, Contracted Services To: A2960.10000-001, Ed. Of Handicapped Children, Salaries
\$73,000	From: A7320.10100, Summer Youth, Temporary Employees To: A3021.10000-001, Public Safety Communications, Salaries
\$15,500	From: A3020.44000, Public Safety, Contracted Services To: A3021.10000-001, Public Safety Communications, Salaries
\$10,829	From: A1680.10000-001, IS, Salaries To: A3021.10000-001, Public Safety Communications, Salaries
\$3,000	From: A1680.10000-001, IS, Salaries To: A3021.86000, Public Safety Communication, Health Insurance
\$4,055	From: A3110.10000-001, Sheriff, Salaries To: A3110.44000, Sheriff, Contracted Services
\$62,431	From: A3110.10000-001, Sheriff, Salaries To: A3112.10000-001, SPO/SRO, Salaries
\$18,750	From: A1680.10000-001, IS, Salaries To: A3112.86000, SPO/SRO, Health Insurance
\$78,000	From: A3150.41000-113, Jail, Drugs To: A3150.10000-001, Jail, Salaries
\$28,000	From: A3150.42000, Jail, Utilities To: A3150.10000-001, Jail, Salaries
\$50,000	From: A3150.45000, Jail, Fees For Services To: A3150.10000-001, Jail, Salaries
\$50,000	From: A3150.81000, Jail, Retirement To: A3150.10000-001, Jail, Salaries
\$90,521	From: A6100.40000, Medicaid, Miscellaneous Expense To: A3150.10000-001, Jail, Salaries
\$33,977	From: A2490.44000, Community College Tuition, Contracted Services To: A3170.44000-453, Correctional Institution, Mental Health
\$800	From: A3315.44000, Special Traffic Program, Contracted Services To: A3315.86000, Special Traffic Program, Health Insurance
\$37.61	From: A3315.25000, Special Traffic Program, Other Equipment To: A3315.22000, Special Traffic Program, Computer Equipment
\$5,810.39	From: A3315.25000, Special Traffic Program, Other Equipment To: A3315.46000, Special Traffic Program, Miscellaneous Expense
\$300	From: A3315.40700, Special Traffic Program, Computer Software To: A3315.46000, Special Traffic Program, Miscellaneous Expense
\$86.00	From: A3641.41000, LEPC, Supplies To: A3640.86000, Emergency Management, Health Insurance
\$10,000	From: A4010.81000, Public Health, Retirement To: A4010.10000-001, Public Health, Salaries
\$24,777	From: A4059.10000-001, Early Intervention, Salaries To: A4010.10000-001, Public Health, Salaries

\$500	From: A4059.10000-001, Early Intervention, Salaries To: A4046.86000, Physically Handicapped Children, Health Insurance
\$3,835	From: A4059.10000-001, Early Intervention, Salaries To: A4074.41000, Biologicals, Supplies
\$42,703	From: A4320.44000-350, Mental Health, Contracted, Consultants To: A4320.10000-001, Mental Health, Salaries
\$2,400	From: A2490.44000, Community College Tuition, Contracted Services To: A6510.86000, Veterans, Health Insurance
\$21,515	From: D5020.10000-001, County Road, Engineering, Salaries To: D5110.10000-001, County Road, Maintenance, Salaries
\$9,800	From: DM5130.46200-781, Road Machinery, Fluids To: DM5130.10000-001, Road Machinery, Salaries
\$5,000	From: DM5130.42000-832, Road Machinery, Gas To: DM5130.10000-001, Road Machinery, Salaries
\$4,730	From: DM5130.44000-417, Road Machinery, Building and Grounds To: DM5130.10000-001, Road Machinery, Salaries
\$3,000	From: G8130.10000-001, Sewage Treatment Plant, Salaries To: G8110.86000, Sewer District, Health Insurance
\$3,554.23	From: CD6292.100.000-001, Salaries, Adult, ET03-23 To: CD6292.810.000, Retirement, Adult ET03-23

AMEND

A1985.1110, Sales Tax	From: \$34,432,706.00 To: \$36,396,333.83
A1985.44000, Sales Tax, Contracted	From: \$10,143,816.00 To: \$12,107,443.83

CLOSE and TRANSFER (Revenue to A4089A and Expense to A1989A.46000)

Revenue:	
A1165C.4089A	\$3,957.50
A6010C.4089A	\$115.00
Expense:	
A1165C.40000, DA ARPA, Contractual	\$3,957.50
A6010C.41000, DSS ARPA, Supplies	\$115.00

and, be it further

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

Dated: February 14, 2024.

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

The Chairman continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Gaworecki, Report and Resolution No. 52 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing renewal of agreement with Strategic Development Specialists to render professional services regarding grant writing to further economic development in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 52

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STRATEGIC DEVELOPMENT SPECIALISTS TO RENDER PROFESSIONAL SERVICES REGARDING GRANT WRITING TO FURTHER ECONOMIC DEVELOPMENT IN HERKIMER COUNTY

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

WHEREAS, by letter dated January 29, 2024, James W. Wallace, Jr., County Administrator, has requested a contract renewal of the current agreement entered into with Strategic Development Specialists of Syracuse, New York, to provide services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, to extend said agreement for an additional twelve month period through April 4, 2025; and

WHEREAS, the cost for such services will be \$6,000 per month plus incidentals, totaling \$3,000 annually, for the period of April 5, 2024 through April 4, 2025, with all other terms of the agreement to remain in force and effect; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into a renewal of the agreement with Strategic Development Specialists, P.O. Box 205, Syracuse, New York 13214, to provide professional services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, at a cost of \$6,000 per month plus incidentals, totaling \$3,000 annually, to extend the contract for the period of April 5, 2024 through April 4, 2025, with all other terms of the agreement to remain in

full force and effect, and with 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 Herkimer County Treasurer, Auditor, Budget Officer, and Strategic Development Specialists.

Dated: February 14, 2024.

On motion of Mr. Campione, seconded by Mr. Brewer, Report and Resolution No. 53 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving software upgrade and service contract agreement in the Sheriff's Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 53

REPORT AND RESOLUTION APPROVING SOFTWARE UPGRADE AND SERVICE CONTRACT AGREEMENT IN THE SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated January 22, 2024 from Sheriff Scott F. Scherer, this Legislature is advised of a request for a software upgrade and a service contract agreement for the identification and access card system; and

WHEREAS, the cost for the software, service agreement, installation, training and conversion will be \$1,382.92; now, therefore, be it

RESOLVED, that the above-described purchase of software, service agreement, installation, training and conversion for the identification and access card system is approved through Linstar at a cost of \$1,382.92, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Weakley, seconded by Ms. Bennett, Report and Resolution No. 54 sponsored by the Committee on Public Safety & Emergency Management and the Committee on

Ways & Means approving purchase and appropriating funds in the Sheriff's Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Russell, Weakley (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 54

REPORT AND RESOLUTION APPROVING PURCHASE AND APPROPRIATING FUNDS IN THE SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated January 22, 2024 from Sheriff Scott F. Scherer, this Legislature is advised of a request to purchase the civil software from Tyler Technologies, for a one-time cost of \$63,920 and an annual fee for Tyler Maintenance in the amount of \$6,384, for a total of \$70,304; and

WHEREAS, by letter dated January 26, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation in the 2024 budget is necessary to complete the purchase; 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:

\$70,304 From: A1990.46000, Contingent Fund, Miscellaneous Expense
 To: A3110.40700, Sheriff, Computer Software

and, be it further

RESOLVED, that the above described purchase of civil software and annual fee from Tyler Technologies in the total amount of \$70,304 is approved; and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Schrader, seconded by Mr. Russell, Report and Resolution No. 55 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means increasing polling site fees was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 55

REPORT AND RESOLUTION INCREASING POLLING SITE FEES

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

WHEREAS, Resolution No. 183 of 2006 established a uniform fee to be paid by the county to each of the polling sites used for voting on days of elections conducted by the Herkimer County Board of Elections; and

WHEREAS, by letter dated January 22, 2024 from Kim Tranter and Robert J. Hoyt, Election Commissioners, this Legislature is advised of a request to increase the fee paid to the poll sites from \$50 to \$100 per election day, per site; now, therefore, be it

RESOLVED, that a fee of \$100.00 per day is hereby established to be paid by the County to the owner of the building for each polling site used for voting on days of elections conducted by the Herkimer County Board of Elections for each of the 26 poll sites; 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: February 14, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 56 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing use of voting machines and equipment by school districts was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 56

REPORT AND RESOLUTION AUTHORIZING USE OF VOTING MACHINES AND EQUIPMENT BY SCHOOL DISTRICTS

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

WHEREAS, the New York State Election Law allows the use of county voting machines and equipment by school districts; and

WHEREAS, by Resolution No. 60 adopted on February 14, 2018, the Chairman of the Legislature was authorized to enter into agreements with several Herkimer County school districts for use of Herkimer County voting machines, privacy booths and technicians to conduct school board and school budget elections, and annual renewals of said contracts after the expiration, upon the same or more favorable terms; and

WHEREAS, by letter dated January 31, 2024 from Kim Tranter and Robert J. Hoyt, Election Commissioners, this Legislature is advised of a request to update the user agreement for assistance with school elections and budget votes in May of any given year; now, therefore, be it

RESOLVED, that the County hereby approves the use of county voting machines, privacy booths, equipment and personnel under the following terms:

1. The County will supply available voting machines, privacy booths (if needed), and equipment and supplies for the machines at a cost of \$65, Board of Election flat fee of \$600.00, training for school appointed personnel is included, printing and assembly of poll books for the user upon receipt of a timely request at the cost of \$5.00 per district. The schools will be permitted to transport the voting machines to and from The Board of Elections at the school's expense.
2. The school districts shall provide the Budget Vote Question and school board candidates to the Board of Elections. The Board of Elections shall design the ballot, return it to the school for approval, and provide it to the printer: Phoenix Graphics. The school shall use poll workers trained and approved by the Board of Elections and pay poll workers for their services; shall reimburse the County for all recoverable expenses including supplies, damage, parts and repairs, shall take all necessary steps to secure the voting machines; shall control all matters relating to the voting process on the day of the election; conduct the election and be responsible solely for the same; shall be responsible and liable for the care and custody of the voting machines and other supplies while they are in its possession; and shall be liable for any voting

machine or equipment failure during the election and any cost incurred as a result of such failure; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign agreements with school districts containing the above terms and conditions, with final form of the contract to be subject to the approval of the County Attorney; and, be it further

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioners of Election, and each school district in Herkimer County.

Dated: February 14, 2024.

On motion of Mr. Russell, seconded by Mr. Donley, Report and Resolution No. 57 sponsored by the Committee on Ways & Means amending budget in connection with receipt of economic development assistance funding from the Office of Community Renewal was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 57

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF ECONOMIC DEVELOPMENT ASSISTANCE FUNDING FROM THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated February 2, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget to reflect receipt of economic development assistance funding from the Office of Community Renewal on behalf of Herkimer County to support a housing study in the amount of \$50,000; now, therefore, be it

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

REVENUE

A6420.4789C, IDA, NYS CDBG, Fed Aid

From: \$0

To: \$50,000

A6420.40000, IDA, Contractual Expense

From: \$0
To: \$50,000

and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 58 sponsored by the Committee on Ways & Means amending budget in the Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 58

REPORT AND RESOLUTION AMENDING BUDGET IN THE HIGHWAY DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 26, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget to account for purchases approved by Resolution No. 32 and Resolution No. 33 of 2024; now, therefore, be it

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

Revenue:

H5031, Interfund Transfers, Proj.: 80-3

From: \$894,655.41

To: \$1,069,816.70

Expense:

H5197.25000, Hwy. Equip. & Capital Outlay, Other Equip.
Proj.: 80-3

From: \$894,655.41

To: \$1,069,816.70

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: February 14, 2024.

On motion of Mr. Schrader, seconded by Mr. Russell, Report and Resolution No. 59 sponsored by the Committee on Ways & Means accepting funding, creating a reserve account, and amending 2023 budget was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 59

REPORT AND RESOLUTION ACCEPTING FUNDING, CREATING A RESERVE ACCOUNT, AND AMENDING 2023 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated January 25, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that Herkimer County is a recipient of funding in the opioid settlement in the amount of \$244,286.37, with said funding to be used to combat the opioid crisis through the Department of Social Services and the Office of Mental Health; and

WHEREAS, said letter further advises that it is necessary to amend the 2023 Budget and to accept the funding and to create a reserve account, A889-OSF, Opioid Reserve, to move the unspent monies to at the end of the year; now, therefore, be it

RESOLVED, that the funding is accepted and that a reserve account, A889-OSF, Opioid Reserve, is created and the 2023 Herkimer County Budget is hereby amended as follows:

A6010D.2735, DSS Opioid Settlement	From: \$ 51,794.75
	To: \$ 296,081.12
A6010D.41000, DSS Opioid Settlement, Supplies	From: \$ 2,000.00
	To: \$ 14,000.00
A6010D.44000, DSS Opioid Settlement, Contracted Services	From: \$ 49,794.75
	To: \$282,081.12

and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Gaworecki, Report and Resolution No. 60 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract in the Department of Social Services with SUNY Poly was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 60

REPORT AND RESOLUTION AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES WITH SUNY POLY

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

WHEREAS, by letter dated January 24, 2024 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into a contract with the Research Foundation for SUNY on behalf of SUNY Polytechnic Institute, P.O. Box 9, Albany, NY 12201 to provide “The Social Services Staff Training Program” for the period of January 1, 2024 through December 31, 2024, not to exceed \$208,000; and

WHEREAS, said letter further advises the services currently proposed under this agreement:

1. Undergraduate Courses/Degree (4 BA/2 BS offerings) 12 employees
2. Graduate Courses/Degree (MBA/MS offerings)
3. Supervisory, leadership, interpersonal, and coping skills. Stress reduction and cognitive restructuring (Telehealth)
4. Sexual Harassment annual policy overview/training
5. Personal Computer Skills assessment, training and development (new)

now, therefore, be it

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

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioner of Social Services, and Research Foundation for SUNY on behalf of SUNY Polytechnic Institute.

Dated: February 14, 2024.

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 61 sponsored by the Committee on Ways & Means creating an account and authorizing transfer of funds was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 61

REPORT AND RESOLUTION CREATING AN ACCOUNT AND AUTHORIZING TRANSFER 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 January 24, 2024, submitting a request to create an account and transfer funds in connection with the Healthy Families Program, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized to create an account and directed to transfer the following sum from and to the following accounts in the 2023 budget:

Expense Account (create):

A4189H.10000-002, Healthy Families, Overtime, Proj.: PH13-17

Transfer:

\$50,000 From: A4189H.10000-001, Healthy Families, Salaries, Proj.: PH13-17
To: A4189H.10000-002, Healthy Families, Overtime, Proj.: PH13-17

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: February 14, 2024.

On motion of Mr. Brewer, seconded by Mr. Gaworecki, Report and Resolution No. 62 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting funding, creating account, creating project, and amending 2024 budget in Probation was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 62

REPORT AND RESOLUTION ACCEPTING FUNDING, CREATING ACCOUNT, CREATING PROJECT, AND AMENDING 2024 BUDGET IN PROBATION

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

WHEREAS, by letter dated January 16, 2024, from Michael D. Scalise, Director of Probation, has requested to accept funding from the New York State Division of Criminal Justice Services (DCJS) in regard to a grant award notice for County Pretrial Services for the 2023-2024 award; and

WHEREAS, said letter further advises the grant totals \$79,125 and it is strictly to help offset costs associated with the provision of certified pretrial services through the Probation Department; and

WHEREAS, by letter dated January 24, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget, create an account, and create a project; now, therefore, be it

RESOLVED, that the above-described grant is accepted and that the creation of an account, and creation of a project, and the 2024 Herkimer County Budget is hereby amended as follows:

Revenue:	A3141A.3311A, Pretrial Services, State Aid, Proj.: PR04-1	\$79,125
Expense:	A3141A.41000, Pretrial Services, Supplies, Proj.: PR04-1	\$5,000
	A3141A.44000, Pretrial Services, Con. Services, Proj.: PR04-1	\$74,125

and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 63 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract between Office for the Aging and Department of Social Services for NY Connects Expansion & Enhancement (formerly known as the Balancing Incentive Program – BIP) was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 63

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

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

WHEREAS, by letter dated January 24, 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 the Department of Social Services in the amount of \$20,000 to provide services in connection with the implementation of the NY Connects Expansion & Enhancement (formerly known as the Balance Incentive Program), which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement; and

WHEREAS, said contract will be for the period from April 1, 2024 through March 31, 2025 and will be 100% funded by NY Connects Expansion & Enhancement; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period of April 1, 2024 through March 31, 2025, between the Herkimer County Office for the Aging and the Herkimer County Department of Social Services, for the provision of services in connection with the implementation of NY Connects Expansion & Enhancement, which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement, in the amount of \$20,000; and, be it further

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

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

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

Dated: February 14, 2024.

On motion of Mr. Schrader, seconded by Ms. Bennett, Report and Resolution No. 64 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract renewal for HIICAP funding for the Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 64

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

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

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

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

WHEREAS, by letter dated January 24, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to renew the contract with Catholic Charities of Herkimer County for administration of the Health Insurance Information, Counseling & Assistance Program (HIICAP) for the program year commencing April 1, 2024 through March 31, 2025, with funding currently anticipated at \$38,000; now, therefore, be it

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

- HIICAP (Health Insurance Information, Counseling & Assistance Program) for the 4/1/2024 – 3/31/2025 program year; funding is currently anticipated at \$38,000.00;

- Program shall be subcontracted to Catholic Charities of Herkimer County with said contract amount not to be more than the level of funding that is made available to the County of Herkimer;

and, be it further

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

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

Dated: February 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Malta, Report and Resolution No. 65 sponsored by the Committee on Human Resources and the Committee on Ways & Means concerning services in connection with the Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 65

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

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

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

WHEREAS, by communication dated January 24, 2024 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into renewals of the aforesaid contracts for the period of April 1, 2024 to March 31, 2025, with funding at 75/25%, with the Office for the Aging to provide the local match for aide services for At Home Care, RCIL, HASCA, U.S. Care Systems, Plan It Staffing, and with DSS to provide the local match for their allocation; now, therefore, be it

RESOLVED:

1. That contracts be entered into between the Herkimer County Office for the Aging and the agencies listed to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs as follows:
 - At Home Care will be contracted for aide services estimated to be \$78,000; the hourly rate will be Level 1 - \$35.00 and Level 2 - \$35.50; \$136.00 RN Assessment (initial assessment, 180 day reassessment, change in condition).
 - DSS will provide case management services for up to a total amount of \$70,000 with state aid reimbursement of 75% up to \$52,500.
 - HASCA will be contracted for aide services estimated to be \$25,330; the hourly rate will be \$34.00.
 - RCIL will be contracted for services estimated to be \$87,330; the hourly rate will be \$26.88.
 - U.S. Care Systems will be contracted for services estimated to be \$40,000; the hourly rate will be Level 1 - \$33.00 per hour and Level 2 - \$34.00 per hour
 - Plan It Staffing will be contracted for services estimated to be \$35,000; the hourly rates will be \$27.41.
2. That all contracts shall state that payments are based on availability of state aid and will include a 60 day cancellation of contract clause;
3. That the Chairman of this Legislature is hereby authorized to execute said agreements on behalf of the County of Herkimer;
4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging, Commissioner of Social Services, At Home Care, Inc., Home Aide Service of the Central Adirondacks, Resource Center for Independent Living, U.S. Care System, and Plan It Staffing.

Dated: February 14, 2024.

On motion of Mr. Russell, seconded by Mr. Beach, Report and Resolution No. 66 sponsored by the Committee on Ways & Means amending Resolution No. 126 of 2016 regarding county petty cash accounts was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 66

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 126 OF 2016 REGARDING COUNTY PETTY CASH ACCOUNTS

Sponsored by: Committee on Ways & Means

WHEREAS, by Resolution No. 126 of 2016, this Legislature approved adjustments to county petty cash accounts and that petty cash procedures be implemented; and

WHEREAS, by letter dated January 24, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that the Public Health Department is in need of an increase to their petty cash account; now, therefore, be it

RESOLVED, that Resolution No. 126 of 2016 be amended to increase the petty cash account in the Public Health Department from the original amount of \$35.00 to the new amount of \$140.00; and, be it further

RESOLVED, that in all other respects, Resolution No. 126 of 2016 shall remain in full force and effect; and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Swartz, seconded by Mr. Gaworecki, Report and Resolution No. 67 sponsored by the Committee on Natural Resources and the Committee on Ways & Means authorizing use of surplus grounds of the Herkimer County Sewer District by local sports organizations was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 67

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

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

WHEREAS, by letter dated January 18, 2024, Robin Nalaskowski, Secretary to the Sewer District Board, has requested consideration and approval of Herkimer County Sewer District Resolution HCSD-2024-01 adopted by the Sewer District Board on January 17, 2024; and

WHEREAS, the Herkimer County Sewer District, by said Resolution HCSD-2024-01, authorizes use of its surplus grounds by the Central Valley Little League, or any of their successor organizations pursuant to an annual written lease agreement to be signed by the Herkimer County Sewer District Board Chairman, or in his absence, the Vice-Chair; and

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

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

RESOLVED, that the Herkimer County Legislature approves Sewer District Resolution HCSD-2024-01 of January 17, 2024 authorizing a written lease agreement with the above designated organization, or any of their successor organizations; and, be it further

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

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

Dated: February 14, 2024.

On motion of Mr. Swartz, seconded by Mr. Gaworecki, Report and Resolution No. 68 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution for purchase of a tractor was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 68

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION FOR PURCHASE OF A TRACTOR

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

WHEREAS, by letter dated January 18, 2024, the Sewer District has advised that Resolution HCSD 2024-03 was adopted on January 17, 2024, approving the purchase of a

Kubota Z Series (zero turn) from Evans Equipment, State Contract PC#69404, at a price of \$21,395.65; now, therefore, be it

RESOLVED, that Sewer District Resolution HCSD 2024-03 is approved for the purchase of a Kubota Z Series (zero turn) from Evans Equipment, State Contract PC#69404, at a price of \$21,395.65; and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Ackerman, seconded by Mr. Campione, Report and Resolution No. 69 sponsored by the Committee on Ways & Means approving county employees family memberships at the Youth & Family Center was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 69

RESOLUTION APPROVING COUNTY EMPLOYEES FAMILY MEMBERSHIPS AT THE YOUTH & FAMILY CENTER

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature has authorized family memberships at the Youth & Family Center (formerly known as the YMCA), at both the Little Falls and Mohawk locations; and

WHEREAS, the County will pay \$5,000 for up to 450 County employees to have family memberships and use of their facilities at the Youth & Family Center for the period of January 30, 2024 through January 29, 2025, paid out of Account A9060.86000; now, therefore, be it

RESOLVED, that this Legislature approves the payment of \$5,000 to the Youth & Family Center of Little Falls and Mohawk for up to 450 County employees to have family memberships and use of their facilities for the period of January 30, 2024 through January 29, 2025, paid out of Account A9060.86000; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, the Youth & Family Center, and all other department heads.

Dated: February 14, 2024.

On motion of Mr. Schrader, seconded by Mr. Malta, Report and Resolution No. 70 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. III in the Public Health Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Russell, Weakley (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 70

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

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

WHEREAS, by letter dated January 18, 2024, Christina Cain, Director of Public Health, has requested to amend Salary Schedule III to delete one position of Senior Community Health Nurse and create one position of Licensed Practical Nurse as well as delete one position of Account Clerk and create one position of Senior Account Clerk; and

WHEREAS, by letter dated January 26, 2024, from Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to delete one position of Senior Community Health Nurse and create one position of Licensed Practical Nurse in Account A4010, 35 hours per week, at a 2024 annual base pay rate of \$46,000; and

WHEREAS, letter further advises that Salary Schedule No. III should be amended to delete one position of Account Clerk/Typist and create one position of Senior Account Clerk in Account A4010 at a 2024 annual base pay rate of \$35,253; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to delete one position of Senior Community Health Nurse and create one position of Licensed Practical Nurse in Account A4010, 35 hours per week, at a 2024 annual base pay rate of \$46,000; and, be it further

RESOLVED, that Salary Schedule No. III be amended to delete one position of Account Clerk/Typist and create one position of Senior Account Clerk in Account A4010 at a 2024 annual base pay rate of \$35,253, with both changes above effective February 19, 2024; 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 Public Health.

Dated: February 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Gaworecki, Report and Resolution No. 71 sponsored by the Committee on Ways & Means correcting tax roll in the Town of Norway was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 71

REPORT AND RESOLUTION CORRECTING TAX ROLL IN THE TOWN OF NORWAY

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated January 23, 2024 from Beth Sadlon, Director of Real Property Tax Services, this Legislature is informed that an error was made on the 2024 Town and County Tax Roll on the property listed below in that an incorrect school tax relevy was placed on the Town and County Tax Roll, which was already paid; and

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

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

RESOLVED:

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

Town: Norway
Tax Map No. 089.2-1-2.1

Owners: Price, Erica & Timothy
Address: 851 Sulphur Springs Road
Cold Brook, NY 13324

Amount Billed: \$4,743.25

Corrected Tax: \$1,598.61

2. That this Legislature approves the application to correct the errors by making notation on the application and the copies thereof, that the application is 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 form and the officer having jurisdiction of the indicated tax roll are directed to correct such roll;

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 applicant.

Dated: February 14, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Brewer, Report and Resolution No. 72 sponsored by the Committee on County Properties and the Committee on Ways & Means awarding contract for roof replacement, creating project, and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Russell, Weakley (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 72

REPORT AND RESOLUTION AWARDING CONTRACT FOR ROOF REPLACEMENT, CREATING PROJECT, AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated January 24, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that Request for Proposals were received for architectural and engineering services for a roof replacement of the 108 Court Street building and that an appropriation of funds and the creation of a project will be necessary to move ahead with the roof replacement; now, therefore, be it

RESOLVED, that a contract be awarded to Alesia & Crewell, 4 Oxford Crossing, Suite 104, New Hartford, NY 13413 in the amount of \$16,000 for the roof replacement of the 108 Court Street building; and, be it further

RESOLVED, that the Legislature of Herkimer County approves the creation of a project and an appropriation of funds as follows:

\$16,000

From: A889N, Buildings Reserve

To: H1620.40000, Project 16-5

and, be it further

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

Dated: February 14, 2024.

On motion of Mr. Russell, seconded by Mr. Donley, Report and Resolution No. 73 sponsored by the Committee on County Properties and the Committee on Ways & Means concerning change orders on contracts for renovations at the Court Street building and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Russell, Weakley (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 73

REPORT AND RESOLUTION CONCERNING CHANGE ORDERS ON CONTRACTS FOR RENOVATIONS AT 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 February 2, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, that the County has been notified that change orders have been presented as follows:

\$6,045.72	A. Treffeisen & Sons	Plumbing for Steam Pipe Relocation
\$11,624.94	RMB Mechanical	HVAC Steam Lines
\$5,508.50	Meid Construction	Ceiling Revisions
\$1,999.85	RMB Mechanical	Stair/Lift Revisions

WHEREAS, your Committees have reviewed said letter concerning said change orders and recommend 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:

\$25,179.01 From: A889N, County Building Reserve
 To: H1620.40000, Project 16-4

and, be it further

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

RESOLVED, that 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, A. Treffeisen & Sons, RMB Mechanical, and Meid Construction.

Dated: February 14, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 74 sponsored by the Committee on County Properties authorizing the Herkimer County Treasurer on behalf of Herkimer County to proceed with In Rem tax foreclosure on Tax Parcel No. 113.81-6-6 was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Russell, Weakley (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 74

REPORT AND RESOLUTION AUTHORIZING THE HERKIMER COUNTY TREASURER ON BEHALF OF HERKIMER COUNTY TO PROCEED WITH IN REM TAX FORECLOSURE OF TAX PARCEL NO. 113.81-6-6

Sponsored by: Committee on County Properties

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

WHEREAS, the Hon. Thaddeus Luke previously 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 Environmental Site Assessment of this parcel; and

WHEREAS, the Herkimer Local Development Corporation (hereafter “the LDC”) has requested that the County take title to the above premises through the 2021 In Rem process, cancel outstanding tax liens and then convey title to the LDC through bargain and sale deed; and

WHEREAS, the LDC has proposed a Real Property Transfer and Indemnification Agreement (hereafter “Agreement”) wherein the County will transfer said premises to the LDC in “as is” condition, the LDC will defend, hold harmless and indemnify the County from any claims related to environmental conditions, the IDA shall defend, hold harmless and indemnify the County from claims, if any, for surplus judgment that may be issued as a result of the In Rem Foreclosure and in the event that the LDC sells the premises, the LDC will reimburse the County for a portion or all of the outstanding taxes forgiven or cancelled as set forth in the above Agreement; now, therefore, be it

RESOLVED, that Herkimer County will take title to the above premises through its 2021 In Rem process pursuant to the Real Property Transfer and Indemnification Agreement; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign the Real Property Transfer and Indemnification Agreement, upon approval of the County Attorney of said Agreement; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to execute a bargain and sale deed to the LDC, after the County takes title through the In Rem process, in proper form for recording, conveying marketable title and insurable title to the LDC, together with such affidavits as the LDC’s title company shall reasonably require; 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 Herkimer Local Development Corporation.

Dated: February 14, 2024.

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 75 sponsored by the Committee on Ways & Means authorizing the Chairman to sign a voucher in connection with American Rescue Plan funding was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Shaw (1).



HERKIMER COUNTY LEGISLATURE

No. 75

REPORT AND RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN A VOUCHER IN CONNECTION WITH AMERICAN RESCUE PLAN FUNDING

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated February 14, 2024, Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request from the Community Wellness Partners (Presbyterian Residential Community), 4290 Middle Settlement Road, New Hartford, NY 13413, for funding in the amount of \$27,285, from the County through the American Rescue Plan Funding; and

WHEREAS, letter further requests permission to have the Chairman sign the voucher for the expense out of account A1989A.46000, ARP Funding, Miscellaneous Expense; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign the voucher for funding in the amount of \$27,285, from the County through the American Rescue Plan Funding; and, be it further

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

Dated: February 14, 2024.

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

At 7:18 p.m. on motion of Mr. Ackerman, seconded by Mr. Schrader, the Legislature adjourned to Wednesday, March 13, 2024 at 7:00 p.m.

Brittney R. Viscomi, Clerk