

MINUTES
Herkimer County Legislature
Third Quarter – First Day
Wednesday, July 10, 2024
2:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Robert D. Hollum at 2:00 p.m.

Chairman Hollum called on James W. Wallace, Jr., County Administrator, 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, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Weakley (15).

Absent: Keeler, Conover (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 June 12, 2024. There were none, and the Chairman ordered them approved.

At this time Chairman Hollum called on Legislator William Weakley for a presentation and recognition of the Volunteer Income Tax Assistance (VITA) workers of the Department of Social Services. Legislator William Weakley thanked the group for all that they do and asked Timothy Seymour, Commissioner of the Department of Social Services to present certificates to the following Department of Social Services Employees: Christine Marsden, Mary Talbot, Kim Collis, Cathy Lowell, Debbie Smith, Eva Kirchberg, and Melissa Parese.

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. 271 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 272 – A communication was received from the County Auditor submitting tax corrections for the month of May 2024. Filed.

No. 273 – A communication was received from the IDA submitting notice of public hearing. Filed.

No. 274 – A communication was received from the Commissioner of Social Services submitting report on the 2023 VITA Program. Filed.

No. 275 – A communication was received from the Town of Columbia submitting notice of public hearing. Filed.

No. 276 – A communication was received from the IDA submitting proposed Deviation from Uniform Tax Exemption Policy. Filed.

No. 277 – A communication was received from the IDA submitting notice of public hearing resolution. Filed.

No. 278 – A communication was received from the IDA submitting notice of project inducement. Filed.

No. 279 – A communication was received from the Chief Executive Officer of the IDA submitting resignation from Herkimer County Planning Board. Filed.

No. 280 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal for a property survey and topographic survey. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 281 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal to provide estimating services for the Herkimer County Children's Center. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 282 – A communication was received from the Commissioner of Social Services requesting discussion for notice of liability. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 283 – A communication was received from the Director of Emergency Services submitting appointment of Deputy Fire Coordinator. Filed.

No. 284 – A communication was received from the County Attorney requesting resolution concerning the lot and Oak Street Right-of-Way. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 285 – A communication was received from the STOP-DWI Coordinator submitting STOP-DWI Advisory Board Appointments. Referred to the Committee on Public Safety & Emergency Management.

No. 286 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with grant funding in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 287 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of project and budget amendment in connection with funding in Probation. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 288 – A communication was received from the Director of Employment & Training requesting Lease Agreement for One-Stop Center. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 289 – A communication was received from the Commissioner of Social Services submitting request for approval to submit plan and contract with ICAN for STSJP. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 290 – A communication was received from the Personnel Officer requesting amendment to hourly salary schedule in Board of Elections. Referred to the Committee on Ways & Means.

No. 291 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in Employment & Training. Referred to the Committee on Ways & Means.

No. 292 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with funding in the Youth Bureau. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 293 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in DSS. Referred to the Committee on Ways & Means.

No. 294 – A communication was received from the Director of Public Health requesting contract in connection with Preschool Special Education transportation. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 295 – A communication was received from the Sewer District submitting Resolution for appointment of Vice Chairman. Referred to the Committee on Natural Resources.

No. 296 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to Resolution No. 245 of 2023 in connection with ARPA funding. Referred to the Committee on Ways & Means.

No. 297 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal for Special Inspection Services related to the remodel of the 108 Court Street building. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 298 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers in DSS. Referred to the Committee on Ways & Means.

No. 299 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers for Herkimer County Land Bank. Referred to the Committee on Ways & Means.

No. 300 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal for Geotechnical Report. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 301 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds in District Attorney’s Office. Referred to the Committee on Ways & Means.

No. 302 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Sheriff’s Department in connection with purchase of mower. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 303 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of account and budget amendment for grant funding in Sheriff’s Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 304 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with year one funding for Indigent Legal Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 305 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. III in the County Auditor’s Office. Referred to the Committee on Ways & Means.

No. 306 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of lease agreement for office space for Indigent Legal Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 307 – A communication was received from the Senior VP for Admin. & Finance at HCCC submitting Resolution to award contract for construction management firm. Referred to the Committee on Education and the Committee on Ways & Means.

No. 308 – A communication was received from the Senior VP for Admin. & Finance at HCCC requesting Public Hearing on 2024-2025 Budget. Referred to the Committee on Education and the Committee on Ways & Means.

No. 309 – A communication was received from the Commissioner of Social Services requesting contract for medical reviewer/consultant services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 310 – A communication was received from the Personnel Officer requesting agreement to provide outside legal counsel. Referred to the Committee on Ways & Means.

No. 311 – A communication was received from the Director of Veterans’ Service Agency requesting lease agreement for office space. Referred to the Committee on Administration/ Veterans’ Affairs and the Committee on Ways & Means.

No. 312 – A communication was received from the County Attorney requesting extension of current term of the Indigent Legal Services contract. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 313 – A communication was received from the County Attorney requesting approval for joint representation in Erie Boulevard Hydropower, L.P. Tax Certiorari matter. Referred to the Committee on Ways & Means.

No. 314 – A communication was received from the Herkimer County Land Bank Director requesting transfer of properties to Land Bank. Referred to the Committee on County Properties.

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. Ackerman, Report and Resolution No. 205 sponsored by the Committee on Education and the Committee on Ways & Means fixing the time and place for public hearing on Herkimer County Community College Budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 205

REPORT AND RESOLUTION FIXING THE TIME AND PLACE FOR PUBLIC HEARING ON HERKIMER COUNTY COMMUNITY COLLEGE BUDGET

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

WHEREAS, your Committee on Ways and Means and Committee on Education are advised by letter dated July 1, 2024 from Nicholas F. Laino, Senior Vice President for Administration and Finance, that the Herkimer County Board of Trustees will meet to approve

the proposed 2024-2025 Operating Budget of the College at its meeting to be held on July 29, 2024, and requests that the Herkimer County Legislature set a public hearing to consider said budget; now, therefore, be it

RESOLVED, that a public hearing upon said Tentative Budget to be conducted by the Committee on Education shall be held at the Legislators' Chambers in the Village of Herkimer, New York, on the 14th day of August, at 6:15 p.m. pursuant to the provisions of Section 359 of the County Law and Section 6304(5-a) of the Education Law.

Dated: July 10, 2024.

On motion of Ms. Bennett, seconded by Mr. Beach, Report and Resolution No. 206 sponsored by the Committee on Education and the Committee on Ways & Means approving Herkimer County Community College resolution awarding proposal for construction management for College projects was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 206

REPORT AND RESOLUTION APPROVING HERKIMER COUNTY COMMUNITY COLLEGE RESOLUTION AWARDED PROPOSAL FOR CONSTRUCTION MANAGEMENT FOR COLLEGE PROJECTS

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

WHEREAS, by letter dated June 25, 2024 from Nicholas F. Laino, Senior Vice President for Administration and Finance of Herkimer County Community College, this Legislature is advised that the Board of Trustees, by their Resolution No. 23-20, have approved a proposal for construction management services for seven (7) capital projects; and

WHEREAS, the proposal will be awarded to C&S Engineers, Inc., 499 Eileen Collins Blvd., Syracuse, NY 13212, to provide construction management services for seven (7) capital projects at Herkimer County Community College in the amount of \$284,037.04, with an additional \$12,000 for preliminary work prior to the full start-up of all projects; now, therefore, be it

RESOLVED, that Resolution No. 23-20 adopted on June 24, 2024, by the Herkimer County Community College Board of Trustees is hereby approved to award a proposal to C&S Engineers, Inc., in the amount of 284,037.04, with an additional \$12,000 for preliminary work prior to the full start-up of all projects at Herkimer County Community College; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Senior Vice President for Administration and Finance of Herkimer County Community College, and C&S Engineers, Inc.

Dated: July 10, 2024.

On motion of Mr. Donley, seconded by Mr. Beach, Report and Resolution No. 207 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving lease agreement for Indigent Legal Services was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: Gaworecki, Brewer (2). Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 207

REPORT AND RESOLUTION APPROVING LEASE AGREEMENT FOR INDIGENT LEGAL SERVICES

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

WHEREAS, by letter dated June 21, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, this legislature has been notified that the agreement for office space for Indigent Legal Services (ILS) was terminated and they will be vacating the space at the end of July; and

WHEREAS, ILS has requested to enter into a lease agreement with ARC Herkimer, 350 S. Washington St., Herkimer, NY 13350, for a new space; and

WHEREAS, the office is currently bare space and will need to be renovated, with the build out cost totaling \$78,175, of which \$39,087.50 is the ILS share, to be paid up front for construction to begin, with ARC Herkimer providing a temporary space for the eight week construction; and

WHEREAS, once the office space is complete, the rental fee will be \$12 per square foot including utilities, for 1,500 square feet, totaling \$14,000 annually or \$1,200 per month, for three years; now, therefore, be it

RESOLVED, that the Chairman be authorized to execute a lease agreement for office space with ARC Herkimer, at a cost not to exceed \$1,200 per month including utilities, pending County Attorney approval; and, be it further

RESOLVED, that approval is given for the renovation, totaling \$78,175, of which

\$39,087.50 is the ILS share, to be paid up front for construction to begin, with ARC Herkimer providing a temporary space for the eight week construction; and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Campione, seconded by Mr. Malta, Report and Resolution No. 208 sponsored by the Committee on Ways & Means amending Salary Schedule No. III in the Auditor's Office was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Weakley (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 208

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN THE AUDITOR'S OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 7, 2024 from Holly S. Catalina, County Auditor, this Legislature is advised of a request to amend Salary Schedule No. III; and

WHEREAS, by letter dated June 28, 2024 from Steven Billings, Personnel Officer, requests to amend Salary Schedule No. III to delete one position of Account Clerk and creating one position of Senior Account Clerk in Account A1320 at an annual base pay rate of \$35,253; and

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

RESOLVED, that the 2024 Salary Schedule III is hereby amended in Account A1320 to delete one position of Account Clerk and add one position of Senior Account Clerk, at an annual base pay rate of \$35,253; and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Donley, seconded by Mr. Weakley, Report and Resolution No. 209 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing contract extension with NYS Office of Indigent Legal Services was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: Gaworecki, Brewer (2). Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 209

REPORT AND RESOLUTION AUTHORIZING CONTRACT EXTENSION WITH NYS OFFICE OF INDIGENT LEGAL SERVICES

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

WHEREAS, by Resolution No. 217 of 2019, Herkimer County entered into a five year agreement with the New York State Office of Indigent Legal Services (hereafter "ILS") for April 1, 2018 to March 31, 2023; and

WHEREAS, by Resolution No. 107 of 2023, an extension of the grant and agreement was authorized through March 31, 2024; and

WHEREAS, by letter from Lorraine H. Lewandrowski, Herkimer County Attorney, dated June 21, 2024, a request has been made to authorize extension of the current term to March 31, 2025; and

WHEREAS, by letter from Burton W. Phillips, Counsel for ILS, Herkimer County has been informed that the extension will be for the limited purpose of claiming expenses related to relocation of the Assigned Counsel Program and new office build out to cover office furniture and supplies, telephone/copier/printer, office space and renovations and office utilities; now, therefore, be it

RESOLVED that the Chairman of the Herkimer County Legislature be authorized to sign agreements and forms in relation to this contract extension; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Attorney, Executive Assistant for Indigent Legal Services, and New York State Indigent Legal Services.

Dated: July 10, 2024.

On motion of Mr. Weakley, seconded by Mr. Malta, Report and Resolution No. 210 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant for Assigned Counsel funding and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: Gaworecki, Brewer (2). Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 210

RESOLUTION ACCEPTING GRANT FOR ASSIGNED COUNSEL FUNDING AND AMENDING BUDGET

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

WHEREAS, the New York State Office of Indigent Legal Services has approved grant funding to the County of Herkimer for a three year period from April 1, 2024 to March 31, 2027 in the total amount of \$3,989,861.28, and has submitted a contract to the County to accept that funding; and

WHEREAS, the funding is to support plans for counsel at arraignment, quality improvement of indigent defense and case load relief, with the funds to be used to supplement and not supplant any state or local funds which would otherwise be spent; and

WHEREAS, expenditure of these funds will require further development and execution of contracts and plans for funding of these initiatives, all of which will be subject to further approval of this Legislature; and

WHEREAS, by letter dated June 24, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent . she has advised that it is necessary to amend the 2024 Budget to add the year one budget; now, therefore, be it

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

REVENUE:

A1170B.3025B, ILS	From: \$0
	To: \$1,320,930.37

EXPENSE:

A1170B.10000-001, ILS, Salaries	From: \$0
	To: \$99,425
A1170B.40700, ILS, Comp Software	From: \$0
	To: \$7,000

A1170B. 41000, ILS, Supplies	From: \$0 To: \$12,500
A1170B.42000, ILS, Utilities	From: \$0 To: \$3,000
A1170B.42100, ILS, Telephone	From: \$0 To: \$2,000
A1170B.44000, ILS, Contracted Services	From: \$0 To: \$642,473.37
A1170B.44000-370, ILS, Copier	From: \$0 To: \$2,500
A1170B.44000-521, ILS, Rent	From: \$0 To: \$14,400
A1170B.45000-601F, ILS, Felonies	From: \$0 To: \$50,000
A1170B.45000-601FC, ILS, Family Court	From: \$0 To: \$50,000
A1170B.45000-601M, ILS, Misdemeanors	From: \$0 To: \$50,000
A1170B.45000-602, ILS CAFA	From: \$0 To: \$238,500
A1170B.46100, ILS, Mileage	From: \$0 To: \$47,500
A1170B.46100-767, ILS, Training	From: \$0 To: \$36,500
A1170B.46300, ILS, Postage	From: \$0 To: \$1,500
A1170B.81000, ILS, Retirement	From: \$0 To: \$5,000
A1170B.83000, ILS, Social Security	From: \$0 To: \$3,750
A1170B.83500, ILS, Medicare	From: \$0 To: \$1,000
A1170B.84000, ILS, Workers Comp.	From: \$0 To: \$1,500
A1170B.86000, ILS, Health Insurance	From: \$0 To: \$52,252
A1170B.86500, ILS, Dental Insurance	From: \$0 To: \$130

now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described grant contract; and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Campione, seconded by Mr. Brewer, Report and Resolution No. 211 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means creating account and 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: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 211

REPORT AND RESOLUTION CREATING ACCOUNT AND 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 June 11, 2024 from Scott Scherer, Herkimer County Sheriff, this Legislature is advised of the receipt of funding in the amount of \$123,238.00 from the New York State Division of Criminal Justice Services for a Law Enforcement Technology Program Grant (LETECH); and

WHEREAS, by letter dated June 19, 2024 from Sheri Ferdula, Budget Officer, this Legislature is advised that in anticipation of the LETECH, it is necessary to create an account and amend the 2024 Budget; now, therefore, be it

RESOLVED, that a grant award in the amount of \$123,238.00 for a Law Enforcement Technology Program Grant (LETECH), to be used to purchase a mail scanner at the Herkimer County Correctional Facility, is hereby accepted, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that an account is created and the 2024 Herkimer County Budget is hereby amended as follows:

A3150.3389N, Jail, State Aid (create)	\$123,238
---------------------------------------	-----------

A3150.25000, Jail, Other Equipment	From: \$0
	To: \$123,238

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Weakley, seconded by Mr. Gaworecki, Report and Resolution No. 212 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving purchase for Sheriff's Department and transferring funds was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 212

REPORT AND RESOLUTION APPROVING PURCHASE FOR SHERIFF'S DEPARTMENT AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated June 10, 2024, Scott F. Scherer, Sheriff, has requested approval to purchase a Ferris ISX 330 lawnmower, at a cost of \$15,769.17, with a trade in value of \$10,500.00, for a final cost of \$5,269.17; and

WHEREAS, by letter dated June 19, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised the lawnmower will be purchased from Clinton Tractor & Implement Co., and that a transfer of funds will be necessary to complete the purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above described purchase; and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sum from and to the following accounts in the 2024 Budget:

\$5,269.17 From: A3111.10100, Navigation, Salaries
 To: A3110.25000, Sheriff, Other Equipment

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Malta, Report and Resolution No. 213 sponsored by the Committee on Ways & Means authorizing appropriation of funds was handed up; voted on; and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Weakley (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 213

REPORT AND RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committees have received a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated June 19, 2024, submitting a request for an appropriation of funds to the Prosecutor's Fund Account in the District Attorney's Office, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said appropriation be made and offer the following Resolution:

RESOLVED, that an appropriation of funds be authorized as follows:

\$8,345.00 From: A909, Fund Balance
 To: A1168.40000, DA Prosecutor's Fund, Contractual

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Beach, Report and Resolution No. 214 sponsored by the Committee on County Properties and the Committee on Ways & Means approving proposal in connection with remodel of 108 Court Street building and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Brezinski, Bick, Swartz, Beach, Donley, Campione, Haehl, Weakley (14).

Against: Ackerman (1).

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 215

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated June 19, 2024, submitting requests for transfers of funds to accommodate payments to the Herkimer County Land Bank, reports that we have examined said communication, inquired into the subject matters thereof, and recommend that said transfers be made and offer the following Resolution:

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

\$35,000	From: A8620.10000-001, Urban Renewal, Salaries To: A8620.44000, Urban Renewal, Contracted Services
\$1,000	From: A8620.41000, Urban Renewal, Supplies To: A8620.44000, Urban Renewal, Contracted Services
\$500	From: A8620.42100, Urban Renewal, Telephone To: A8620.44000, Urban Renewal, Contracted Services
\$1,000	From: A8620.43000, Urban Renewal, Insurance To: A8620.44000, Urban Renewal, Contracted Services
\$1,000	From: A8620.46000, Urban Renewal, Miscellaneous To: A8620.44000, Urban Renewal, Contracted Services
\$500	From: A8620.46100, Urban Renewal, Mileage To: A8620.44000, Urban Renewal, Contracted Services
\$200	From: A8620.46300, Urban Renewal, Postage To: A8620.44000, Urban Renewal, Contracted Services
\$3,100	From: A8620.83000, Urban Renewal, Social Security To: A8620.44000, Urban Renewal, Contracted Services
\$725	From: A8620.83500, Urban Renewal, Medicare To: A8620.44000, Urban Renewal, Contracted Services
\$1,250	From: A8620.84000, Urban Renewal, Workers Comp. To: A8620.44000, Urban Renewal, Contracted Services
\$25,000	From: A8620.86000, Urban Renewal, Health Insurance To: A8620.44000, Urban Renewal, Contracted Services

and, be it further

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

Dated: July 10, 2024.

On motion of Ms. Bennett, seconded by Mr. Haehl, Report and Resolution No. 216 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving contract in connection with Preschool Special Education transportation was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 216

REPORT AND RESOLUTION APPROVING CONTRACT IN CONNECTION WITH PRESCHOOL SPECIAL EDUCATION TRANSPORTATION

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

WHEREAS, Resolution No. 183 approved the purchase of vehicles for the purpose of Preschool Special Education transportation; and

WHEREAS, by letter dated June 20, 2024, Christina Cain, Director of Public Health, has requested a contract with JC Logistics, Frankfort, NY for the operation of Preschool Special Education transportation for a cost of \$624,000/year, to begin upon the arrival of the vehicles and execution of the contract; now, therefore, be it

RESOLVED, that a contract with JC Logistics, is authorized for the operation of Preschool Special Education transportation for a cost of \$624,000/year, to begin upon the arrival of the vehicles and execution of the contract; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract with JC Logistics, for said services, with the terms and conditions 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 Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health, and JC Logistics.

Dated: July 10, 2024.

On motion of Mr. Malta, seconded by Mr. Weakley, Report and Resolution No. 217 sponsored by the Committee on Ways & Means amending Resolution No. 245 of 2023 in connection with payments for requests from American Rescue Plan funding was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 217

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 245 OF 2023 IN CONNECTION WITH PAYMENTS FOR REQUESTS FROM AMERICAN RESCUE PLAN FUNDING

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 16 of 2023 authorized \$50,000 of the County's American Rescue Plan funding to each Legislator to distribute within their districts as they see fit; and

WHEREAS, Resolution No. 245 of 2023 authorized the total of \$500 to Herkimer Babe Ruth; and

WHEREAS, by letter dated June 21, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, she has requested to change the award to Herkimer Youth Softball as follows:

Herkimer Youth Softball	\$500	Malta
-------------------------	-------	-------

now, therefore, be it

RESOLVED, that authorization is given for payment to the above recipient in the amount listed; and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Donley, seconded by Mr. Gaworecki, Report and Resolution No. 218 sponsored by the Committee on Ways & Means authorizing transfer of funds in Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 218

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN DEPARTMENT OF SOCIAL SERVICES

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 June 19, 2024, submitting a request for a transfer of funds, 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 and directed to transfer the following sum from and to the following accounts in the 2024 Budget:

\$230,000	From: A6109.40000, Family Assistance, Contractual
	To: A6123.40000, Juvenile Delinquent, Contractual
\$57,000	From: A6142.40000, Emergency Aid for Adults
	To: A6119B.40000, Committee on Special Ed., Contractual

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Swartz, seconded by Mr. Weakley, Report and Resolution No. 219 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract in Department of Social Services for medical reviewer/consultant services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 219

REPORT AND RESOLUTION AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES FOR MEDICAL REVIEWER/CONSULTANT SERVICES

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

WHEREAS, by letter dated June 13, 2024 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into a contract with Dr. Douglas Haas, D.O. for the provision of medical reviewer/consultant services; and

WHEREAS, the agreement would be for the term of August 1, 2024 through December 31, 2025, at a rate of \$150 per hour; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract with Dr. Douglas Haas, D.O., 30 South Main Street, Dolgeville, NY 13329, 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 Dr, Douglas Haas, D.O.

Dated: July 10, 2024.

On motion of Mr. Weakley, seconded by Mr. Bick, Report and Resolution No. 220 sponsored by the Committee on Ways & Means amending budget in the Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 220

REPORT AND RESOLUTION AMENDING BUDGET IN THE DEPARTMENT OF SOCIAL SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 19, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget in connection with an additional award from the New York State Office of Children and Family Services for the New York Child Care Block Grant Subsidy; now, therefore, be it

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

A6055.3655, Daycare, State Aid

From: \$975,000

To: \$1,920,000

A6055.44000, Daycare, Contracted Services

From: \$950,000

To: \$1,895,000

and, be it further

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

Dated: July 10, 2024.

On motion of Ms. Bennett, seconded by Mr. Gaworecki, Report and Resolution No. 221 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing submission of the Supervision and Treatment Services for Juveniles Program (STSJP) to the NYS Office of Children and Family Services and authorize contract renewal with ICAN to provide services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 221

REPORT AND RESOLUTION AUTHORIZING SUBMISSION OF THE SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM (STSJP) TO THE NYS OFFICE OF CHILDREN AND FAMILY SERVICES AND AUTHORIZE CONTRACT RENEWAL WITH ICAN TO PROVIDE SERVICES

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

WHEREAS, Resolution No. 208 of 2023 authorized the Chairman of the Legislature to approve the submission of a STSJP plan to the NYS Office of Children and Family Services, and execute a contract with Integrated Community Alternatives Network (ICAN), for the provision of detention diversion services; and

WHEREAS, by letter dated June 12, 2024, Timothy Seymour, Commissioner of Social Services has advised the 2024-25 enacted State budget has again appropriated funding to assist with STSJP; and

WHEREAS, the funding request for the continuation of this program is \$79,620 for the period of performance commencing October 1, 2024 through September 30, 2025, this sum has a 62% state reimbursement and the program continues capped detention services allocation which is reimbursed at 49% state share; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the Commissioner of Social Services to submit a STSJP plan to the NYS Office of Children and Family Services for approval

and authorizes the Chairman of the Legislature to renew a contract with ICAN, 310 Main Street, Utica, NY 13501 to provide detention diversion/early intervention services for the period of the plan; 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 ICAN.

Dated: July 10, 2024.

On motion of Mr. Swartz, seconded by Ms. Bennett, Report and Resolution No. 222 sponsored by the Committee on Natural Resources approving Sewer District Resolution for appointment of the Vice Chairman of Sewer Board was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 222

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION FOR APPOINTMENT OF THE VICE CHAIRMAN OF SEWER BOARD

Sponsored by: Committee on Natural Resources

WHEREAS, Resolution No. 48 of 2023 appointed Richard D. Adams, Jr. to serve as the Vice Chairman of the Sewer Board; and

WHEREAS, by letter dated June 25, 2024, this Legislature is advised that the Herkimer County Sewer Board adopted a resolution on June 19, 2024 appointing George Cryer as Vice Chairman of the Sewer Board, due to a resignation from Richard D. Adams, Jr., effective immediately; now, therefore, be it

RESOLVED, that this Legislature approves a resolution duly adopted by the Herkimer County Sewer District Board on June 19, 2024 appointing George Cryer to the position of Vice Chairman; and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 223 sponsored by the Committee on County Planning & Development and the Committee on Ways

& Means authorizing contracts for the youth programs and youth team sports for 2024 and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 223

REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR THE YOUTH PROGRAMS AND YOUTH TEAM SPORTS FOR 2024, AND AMENDING BUDGET

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

WHEREAS, by letter dated June 19, 2024, from Rachael Case, Executive Director of the Herkimer County Youth Bureau, this Legislature is advised that the New York State Office of Children and Family Services has approved Herkimer County’s Resource Allocation Plan (RAP) for 2024, which includes requested state aid in the amount of \$138,576; and

WHEREAS, by said letter, the Executive Director of the Herkimer County Youth Bureau advises that the Youth Bureau now desires to enter into contracts for 2024 with local agencies for the implementation of the Youth Development Programs as well as contracts for 10 local youth sports programs; and

WHEREAS, by letter dated June 19, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2024 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the 2024 budget be amended as follows:

A7310.3820B, Youth Bureau, State Aid	From: \$81,000
	To: \$138,576

A7310.44000, Youth Bureau, Contracted Services	From: \$145,000
	To: \$202,576

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts, subject to reimbursement from the State of New York, with the following agencies in the amounts listed:

Youth Development Funding:

Little Falls YMCA, School’s Out Scholarship Program - \$5,000.00

Little Falls YMCA, Unsupervised Youth Alternatives - \$7,550.00

Little Falls Family YMCA, 15 Jackson Street, Little Falls NY, 13365

Catholic Charities of Herkimer County, Domestic Violence Program - \$7,250.00

Catholic Charities of Herkimer County, Youth Summit - \$2,000.00

Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357

Center for Family Life and Recovery, Short Term Prevention Services - \$7,507.00
Center for Family Life and Recovery, 502 Court Street, Suite 401, Utica, NY 13502

Juvenile Officer/School Resource Officer - \$3,000.00
Herkimer Police Department, 120 Green Street, Herkimer, NY 13350

Youth Afterschool Program - \$1,000
Kommunity Youth Activity Center, Inc., P.O. Box 214, Old Forge, NY 13420

Youth Sports Education Funding:

Catholic Charities of Herkimer County, Runaway and Homeless Youth Fitness Program - \$5,000.00
Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357

Rescue Heroes Program - \$18,387.00
BOCES, 352 Gros Blvd., Herkimer, NY 13350

Runaway and Homeless Youth (60% state funding, 20% agency match, 20% county match)

Catholic Charities of Herkimer County, Runaway and Homeless Youth Program –
\$15,000.00 – State share,
\$ 5,000.00 – Catholic Charities match,
\$ 5,000.00 – Herkimer County match
Program total: \$25,000

Youth Team Sports funding infrastructure bonus:

Herkimer Next, P.O. Box 16, Herkimer NY 13350
Ilion Basketball Court Renovation - \$10,344

Youth Team Sports funding:

Recreation Connections of Old Forge, P.O. Box 825, Old Forge, NY 13420 - \$3,000
Central Valley Little League, 132 Brook Street, Ilion, NY - \$3,000
Inlet Mighty Loons Hockey Club, P.O. Box 42, Inlet, NY 13360 - \$3,000
District 3 Wrestling, 112 E. Main Street, Frankfort, NY 13340 - \$3,000
Central Valley Pop Warner, 146 McKensy Place, Ilion, NY 13357 - \$3,000
Kuyahooro AYSO, 460 Gravesville Road, Poland, NY 13431 - \$3,000
Frankfort Little League, 507 Dutch Hill Road, Frankfort, NY 13340 - \$3,000
Herkimer Hornets, P.O. Box 785, Herkimer, NY 13350 - \$3,000
Little Falls Youth Wrestling, 224 Burwell Street, Little Falls, NY 13365 - \$3,000

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Donley, seconded by Mr. Malta, Report and Resolution No. 224 sponsored by the Committee on Ways & Means amending budget in Employment & Training was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 224

REPORT AND RESOLUTION AMENDING BUDGET IN EMPLOYMENT AND TRAINING

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 19, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget in Employment and Training for an increase in the need for youth programs; now, therefore, be it

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

CD6292A.4793, ETA Youth Training, Federal Aid	From: \$202,000
	To: \$252,000
CD6292A.3002.10100, ET02-23, Temporary Employees	From: \$15,000
	To: \$65,000

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 225 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, Bennett, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Weakley (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 225

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 June 17, 2024 from the Commissioners of Elections, it has been requested to amend the hourly salary schedule; and

WHEREAS, by letter dated June 18, 2024 from Steven Billings, Personnel Officer, he has requested the hourly salary schedule be amended to delete the titles of Poll Worker (Primary and General Elections) \$240/day and Poll Worker (Early Voting) \$125/day and add the title of Poll Worker (Primary & General Election, Early Voting, and Voter Registration Days) at an hourly rate of \$15.00/hour;

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 delete the titles of Poll Worker (Primary and General Elections) \$240/day and Poll Worker (Early Voting) \$125/day and add the title of Poll Worker (Primary & General Election, Early Voting, and Voter Registration Days) at an hourly rate of \$15.00/hour; and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Donley, seconded by Mr. Brewer, Report and Resolution No. 226 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant funding, authorizing e-signature, and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 226

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING E SIGNATURE, AND AMENDING BUDGET

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

WHEREAS, by letter dated June 20, 2024, from Michael D. Scalise, Director of Probation, this Legislature is advised of the request for acceptance of a grant from the State Division of Criminal Justice Services for Raise the Age (RTA), in the amount of \$21,700.00; and

WHEREAS, letter further advises funding may help supplement overtime of Probation Department staff for work specific to RTA cases handled by the Probation Department, and a portion of the grant may also be utilized for electronic monitoring supervision of these cases, as well as for those involved in Cognitive Behavioral Therapy application, for the period from April 1, 2023 through March 31, 2024; and

WHEREAS, by letter dated June 20, 2024 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2024 Budget in connection with the receipt for the amount of the grant; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted; and, be it further

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

REVENUE:

A3140A.3389P, Raise the Age, State Aid, Proj.: PR03-3	\$21,700
---	----------

EXPENSES:

A3140A.10000-001, Raise the Age, Salaries, PR03-3	\$5,000
A3140A.10000-002, Raise the Age, Overtime, PR03-3	\$10,000
A3140A.44000-404, Raise the Age, Electronic Monitoring, PR03-3	\$5,000
A3140A.46100, Raise the Age, Mileage, PR03-3	\$1,700

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by e-signature a contract with the New York State Division of Criminal Justices to receive a Raise the Age Grant in the amount of \$21,700.00 for the period from April 1, 2023 through March 31, 2024, 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, Director of Probation, and the State Division of Criminal Justice Services.

Dated: July 10, 2024.

On motion of Mr. Campione, seconded by Mr. Swartz, Report and Resolution No. 227 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 227

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

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

WHEREAS, by letter dated June 5, 2024, from Michael L. Edwards, STOP-DWI Coordinator, he has requested this Legislature accept additional funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$18,000 for the period of October 1, 2023 through September 30, 2024, as a pass through funding stream administered by the County; and

WHEREAS, by letter dated June 21, 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 in connection with the receipt of said funding; now, therefore, be it

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

Revenue:	A3315A.4389G, Impaired Driving Det., Federal Aid, Project SD02-11	From: \$24,000 To: \$42,000
Expense:	A3315A.44000, Impaired Driving Det., Contracted Services, Project SD02-11	From: \$24,000 To: \$42,000

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Donley, seconded by Mr. Malta, Report and Resolution No. 228 sponsored by the Committee on Public Safety & Emergency Management as regards membership on the STOP-DWI Advisory Board was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Keeler, Conover (2).

Abstain: Brewer (1).



HERKIMER COUNTY LEGISLATURE

No. 228

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

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, a communication from Michael J. Edwards, STOP-DWI Coordinator, dated May 24, 2024, advises this Legislature that the STOP-DWI Advisory Board recommends the reappointment of certain members to the STOP-DWI Advisory Board; now, therefore, be it

RESOLVED, that the individuals serving in the following titles and individuals listed are hereby reappointed to the STOP-DWI Advisory Board to serve a term of three years commencing July 1, 2024 and ending June 30, 2027;

Reappointments

Herkimer County District Attorney
Herkimer County Director of Probation
William Penree, Community Member
Leigh Parks-Brewer, Community Member
Sam Jess, Community Member

and, be it further

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

Dated: July 10, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 229 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing extension of lease agreement for One Stop Center was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 229

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF LEASE AGREEMENT FOR ONE STOP CENTER

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

WHEREAS, pursuant to Resolution No. 101 of 2001, the County of Herkimer entered into a three year lease agreement with Cale Development Company, Inc. of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One-Stop Career Center, which lease was renewed by resolution thereafter, most recently by Resolution No. 215 of 2021 for a three year period; and

WHEREAS, by letter dated June 18, 2024, Nicole Wilson, Employment and Training Director, has requested a new lease agreement be entered into with Castle Enterprises of Herkimer, LTD (formerly Cale Development Co., Inc.) of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One-Stop Career Center at an annual rent of \$130,436.82, to be paid in monthly installments of \$10,869.74; and

WHEREAS, said monthly rent shall be offset by payments made pursuant to agreements with partners in the Working Solutions One-Stop Career Center, which include the State Department of Labor, Herkimer County BOCES, Herkimer County Community College, Herkimer County Department of Social Services, and ACCES-VR; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a lease agreement of the former Wards Building located at 320 North Prospect Street, Herkimer, New York, with Castle Enterprises of Herkimer, LTD, for the purposes of housing the Working Solutions One-Stop Career Center, under the following terms and conditions:

- That the lease agreement shall be for a term of three years effective from October 1, 2024 to September 30, 2027;
- That the lease agreement shall reflect an occupied square footage of 9,598;
- That the price shall be \$10.44/square foot for base rent plus an additional \$3.15/square foot to cover taxes, assessments and utilities, for a total of \$13.59/square foot, with total annual rent to be \$130,436.82 to be paid in monthly installments of \$10,869.74, with a final payment of \$10,869.68;
- That tenant does repairs that are under \$150; landlord responsible for all others;

- 60 designated parking spaces;
- Landlord to maintain parking lot, including snow and ice removal;
- That the lease 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, Employment and Training Director, and Castle Enterprises of Herkimer, LTD.

Dated: July 10, 2024.

On motion of Mr. Campione, seconded by Mr. Beach, Report and Resolution No. 230 sponsored by the Committee on Ways & Means authorizing agreement to provide outside legal counsel was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 230

REPORT AND RESOLUTION AUTHORIZING AGREEMENT TO PROVIDE OUTSIDE LEGAL COUNSEL

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 28, 2024, Steven R. Billings, Personnel Officer has requested authorization to enter into an agreement with Roemer, Wallens, Gold, and Mineaux LLP; and

WHEREAS, Roemer, Wallens, Gold, and Mineaux LLP will provide legal services to the Herkimer County Highway Department for an employee discipline matter at an hourly rate of \$270 per hour plus any normal and customary expenses deemed appropriate by the Personnel Officer; now, therefore, be it

RESOLVED, that an agreement be entered into with Roemer, Wallens, Gold, and Mineaux LLP, to provide legal services to the Herkimer County Highway Department for an employee discipline matter at an hourly rate of \$270 per hour plus any normal and customary expenses deemed appropriate by the Personnel Officer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, County Highway Superintendent, and Roemer, Wallens, Gold, and Mineaux LLP.

Dated: July 10, 2024.

On motion of Mr. Brezinski, seconded by Mr. Schrader, Report and Resolution No. 231 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means approving lease agreement for Veterans' Service Agency was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 231

REPORT AND RESOLUTION APPROVING LEASE AGREEMENT FOR VETERANS SERVICE AGENCY

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

WHEREAS, by letter dated June 12, 2024 from Richard D. Louis, Jr., Director of the Veterans Service Agency, this legislature has been advised of a request to enter into an agreement with Real Estate Development, C. Scialdo & Sons, Inc., to lease property located at 25 Central Ave., Ilion, NY 13357; and

WHEREAS, the lease agreement would be for a period of three years, at a cost of \$2,000 per month, with the option of a one three-year extension to include a six-month clause out option; now, therefore, be it

RESOLVED, that the Chairman be authorized to execute a lease agreement for the Veterans Service Agency to lease property located at 25 Central Ave., Ilion, NY 13357, with Real Estate Development, C. Scialdo & Sons, Inc., 5661 State Route 5, Herkimer, NY 13350, for a period of three years, at a cost of \$2,000 per month, with the option of a one three-year extension to include a six month clause out option, pending County Attorney approval; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Veterans Service Agency, and Real Estate Development, C. Scialdo & Sons, Inc.

Dated: July 10, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 232 sponsored by the Committee on Ways & Means concerning joint representation in Erie

Boulevard Hydropower, L.P. tax certiorari proceedings was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 232

REPORT AND RESOLUTION CONCERNING JOINT REPRESENTATION IN ERIE BOULEVARD HYDROPOWER, L.P. TAX CERTIORARI PROCEEDINGS

Sponsored by: Committee on Ways and Means

WHEREAS, Erie Boulevard Hydropower, L.P. has commenced tax challenges for four years in Herkimer County Supreme Court against the Town of Russia in relation to two hydroelectric facilities; and

WHEREAS, involved taxing jurisdictions including the Town of Russia, Poland Central School and the County of Herkimer anticipate that a joint defense effort is warranted; and

WHEREAS, Poland Central School has retained Ferrara Fiorenza, PC, 5010 Campuswood Drive, East Syracuse, New York 13057 to represent the school district; and

WHEREAS, a Joint Defense Agreement has been proposed wherein the Town of Russia, Poland Central School and the County of Herkimer would share in the cost of legal fees and costs/expenses as well as expert appraisal fees; now, therefore, be it

RESOLVED, that the County of Herkimer enter into the Joint Defense Agreement to retain the Ferrara Fiorenza PC law firm with fees and costs/expenses to be split on a *pro rata* basis with the County of Herkimer responsible for 29% of the legal fees and costs/expenses; and, be it further

RESOLVED, that the County of Herkimer enter into a Contract for Appraisal/Valuation Consulting Services with Brian D. Fogg, LLC, jointly with the Town of Russia and Poland Central School for expert appraisal fees with Herkimer County responsible for 29% of expert appraisal fees as set forth in the Contract, upon approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be authorized to execute the above Joint Defense Agreement and Contract for Appraisal/Valuation Services, upon 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, Ferrara Fiorenza, PC, Brian D. Fogg, LLC, Town of Russia, and Poland Central School.

Dated: July 10, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 233 sponsored by the Committee on County Properties authorizing transfer of real property to the Herkimer County Land Bank Corporation was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Weakley (15).

Against: None.

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 233

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF REAL PROPERTY TO THE HERKIMER COUNTY LAND BANK CORPORATION

Sponsored by: Committee on County Properties

WHEREAS, the premises set forth in the attached list of properties at Schedule A are included in the County's 2021 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the County of Herkimer held those premises in abeyance and did not take title to them, or withdraw them from the In Rem Proceeding, pending action to be taken by the Herkimer County Land Bank Corporation (Land Bank); and

WHEREAS, unpaid taxes are due and owing for each parcel as set forth in the attached Schedule A; now therefore, be it

RESOLVED, that the County of Herkimer hereby agrees to restore these parcels to its In Rem Tax Proceedings and seek to take title to the premises by Court Order, and thereafter transfer the premises to the Land Bank, so long as the Land Bank adopts a resolution agreeing to take title to those parcels and to indemnify the County and hold it harmless from any suit, claim, cause of action or cost of any kind or nature in connection with the premises, including any such issue related to environmental contamination or cleanup of or otherwise related to the premises or claims for surplus; and, be it further

RESOLVED, that this Legislature further determines that there is no practical method to enforce the collection of taxes on the premises and that a supplementary proceeding to enforce collection will not be effective because of the dilapidated condition of the parcels; and, be it further

RESOLVED, that upon conveyance of the above described premises to the Land Bank, the delinquent tax liens, together with penalties and interest accrued as of the date of transfer on each parcel shall be cancelled by the County Property Agent; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary contracts and deeds and related documents in connection with the accomplishment of the above transfers; and, be it further

RESOLVED, that upon such conveyance, the County Property Agent is hereby authorized to issue and file Certificate of Cancellation of the said taxes; and, be it further

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

Dated: July 10, 2024.

On motion of Ms. Bennett, seconded by Mr. Weakley, Report and Resolution No. 234 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving proposal in connection with Children’s Center was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: Ackerman (1).

Absent: Keeler, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 234

REPORT AND RESOLUTION APPROVING PROPOSAL IN CONNECTION WITH CHILDREN’S CENTER

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

WHEREAS, by letter dated June 21, 2024, from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised of a proposal for a Geotechnical Report that needs to be completed for the future Children’s Center located on Spruce Street in Ilion; and

WHEREAS, said letter further advises the proposals are being gathered, not to exceed \$20,000, which will include drilling, soil borings, water monitoring, and review of samples; now, therefore, be it

RESOLVED, that the Herkimer County Legislature authorizes acceptance of a proposal recommended by In Architects for completion of a Geotechnical Report for the future Children’s Center, not to exceed \$20,000; and, be it further

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

Dated: July 10, 2024.

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

At 2:22 p.m. on motion of Mr. Malta, seconded by Mr. Gaworecki, the Legislature adjourned to Wednesday, August 14, 2024 at 7:00 p.m., with a Public Hearing on the HCCC Budget at 6:15 p.m.

Brittney R. Viscomi, Clerk