

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

Public Hearing

The Public Hearing on the 2024-2025 tentative Herkimer County Community College Budget was called to order at 6:17 p.m. by Cynthia A. Bennett, Chairwoman of the Committee on Education. The Clerk read the Notice. There were no speakers and the hearing was declared closed at 6:18 p.m.

NOTICE OF HEARING
ON TENTATIVE COLLEGE BUDGET

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer, New York, will meet in the Legislature Chambers at 6:15 p.m. on the 14th day of August, 2024 for the purpose of holding a public hearing on the tentative budget of Herkimer County Community College for the fiscal year September 1, 2024 through August 31, 2025.

FURTHER NOTICE IS HEREBY GIVEN that copies of said tentative budget are available at the office of the Clerk of the Herkimer County Legislature, 109 Mary Street, Suite 1310, Herkimer, New York, where they may be procured by any interested person during business hours.

By Order of the Herkimer County Legislature

Dated: August 5, 2024.

Brittney R. Viscomi, Clerk

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 James Greiner, County Historian, 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, Hollum, Brewer, Bennett, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Conover, Weakley (14).

Absent: Schrader, Keeler, Haehl (3).

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 July 10, 2024 and July 26, 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. Mr. Malta requested Communication No. 325 be read.

No. 318 – A communication was received from the Co-Founder of Feed Our Vets submitting thank you for support. Filed.

No. 319 – A communication was received from the USA Federal Energy Regulatory Commission submitting Notice of Intent. Filed.

No. 320 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 321 – A communication was received from Robert J. Smullen, NYS Assembly requesting support of Rural Equity Bills being introduced. Filed.

No. 322 – A communication was received from the Wladis Law Firm submitting SEQRA Lead Agency Coordination Notice. Filed.

No. 323 – A communication was received from Chairman Hollum making appointment to the Herkimer County Planning Board. Filed.

No. 324 – A communication was received from Chairman Hollum making appointment to the Herkimer County Ethics Board. Filed.

No. 325 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 326 – A communication was received from the Beaver River Hydroelectric Project submitting Final License Application. Filed.

No. 327 – A communication was received from the Capital District OTB submitting financial reports for November 2023, January, February, March, and April 2024 and Annual Report for 2022 and 2023. Filed.

No. 328 – A communication was received from the Director of Emergency Services requesting to fill vacant position. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 329 – A communication was received from the Sheriff submitting May 2024 Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 330 – A communication was received from the Highway Superintendent requesting discussion for the Waiver of Rock Slope. Referred to the Committee on Highways.

No. 331 – A communication was received from the Highway Superintendent requesting resolution for the Macri Paving damage repair costs to Old Forge Rd CR14. Referred to the Committee on Highways.

No. 332 – A communication was received from the Commissioner of Social Services requesting acceptance of funding and renewal of contract with Catholic Charities. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 333 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of project in connection with funding in the District Attorney's Office. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 334 – A communication was received from HCCC requesting authorization of Second Modification Agreement with Herkimer Solar, LLC. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 335 – A communication was received from the Commissioners of Elections requesting extension of HAVA/Voter Education Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 336 – A communication was received from the Commissioners of Elections requesting extension of EPoll Book Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 337 – A communication was received from the Commissioners of Elections requesting extension of Early Voting Aid to Localities Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 338 – A communication was received from the Commissioners of Elections requesting extension of Early Voting Expansion Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 339 – A communication was received from the Commissioners of Elections requesting extension of Cyber Security Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 340 – A communication was received from the Director of Emergency Services requesting lease renewal for Aney Hill Tower Site. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 341 – A communication was received from the Budget Officer/Purchasing Agent requesting to award bid for roof project at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 342 – A communication was received from the Director of Emergency Services requesting lease renewal for Spohn Hill Tower Site. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 343 – A communication was received from the Senior VP for Admin. & Finance at HCCC requesting approval of Proposed College Operating Budget for 2024-2025. Referred to the Committee on Education and the Committee on Ways & Means.

No. 344 – A communication was received from the Director of Emergency Services requesting approval for electrical service agreement. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 345 – A communication was received from the Director of Emergency Services requesting purchase of Zetron Radio Service Plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 346 – A communication was received from the Director of Emergency Services requesting purchase of Zetron Phone Maintenance Plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 347 – A communication was received from the Director of Emergency Services requesting purchase of Zetron CAD Maintenance Plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 348 – A communication was received from the Budget Officer/Purchasing Agent awarding bid for topographic survey services for the new Sheriff's Administration Building and transfer funds. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 349 – A communication was received from the Budget Officer/Purchasing Agent requesting to accept funds, amend budget, creation of account and project for County Pretrial Services in Probation. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 350 – A communication was received from the Budget Officer/Purchasing Agent requesting payment in connection with American Rescue Plan funding. Referred to the Committee on Ways & Means.

No. 351 – A communication was received from the County Treasurer requesting advance of funds to the County Road Fund. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 352 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in connection with outside counsel in the Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 353 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds in connection with a purchase in the Sheriff's Office. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 354 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in connection with grant funds in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 355 – A communication was received from the Director of Community Services requesting amendment of contracts. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 356 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment due to an increase in State Aid funding in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 357 – A communication was received from the Director of Probation requesting renewal of agreement with Catalis for database and software applications in Probation. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 358 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection to the opioid crisis in DSS and Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 359 – A communication was received from the Personnel Officer requesting adoption of the 2025 Herkimer County Self Insured Plan Budget. Referred to the Committee on Ways & Means.

No. 360 – A communication was received from the Personnel Officer requesting to amend the Hourly Salary Schedule in Information Services. Referred to the Committee on Ways & Means.

No. 361 – A communication was received from the Personnel Officer requesting to amend Salary Schedule No. III in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 362 – A communication was received from the Personnel Officer requesting to amend Salary Schedule No. III in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 363 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment due to a Cost of Living Adjustment increase in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 364 – A communication was received from the Budget Officer/Purchasing Agent requesting to award bid for roof project at 108 Court Street building and transfer funds. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 365 – A communication was received from the County Property Agent submitting Land Auction Results. Referred to the Committee on County Properties.

No. 366 – A communication was received from the County Treasurer requesting to open a new custodial account for each In Rem year to maintain surplus funds. Referred to the Committee on Ways & Means.

No. 367 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal for boundary/subdivision map in connection with the Children’s Center. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 368 – A communication was received from the Highway Superintendent requesting large equipment purchases. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 369 – A communication was received from the Budget Officer/Purchasing Agent requesting contract for land survey. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 370 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds for marketing contract. 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 the current projects.

On motion of Mr. Donley, seconded by Mr. Campione, Resolution No. 236 – Resolution No. 242 were handed up; voted on and adopted by voice vote:

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

Consent Agenda:

- 236 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections
- 237 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections
- 238 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections

- 239 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections
- 240 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections
- 241 CO. PLNG. & DEV.: Appointing member to the Herkimer County Planning Board
- 242 WAYS & MEANS: Appointing member to the Herkimer County Board of Ethics



HERKIMER COUNTY LEGISLATURE

No. 236

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 188 of 2019, this Legislature approved funding for the implementation of early voting expenses for the Board of Elections for the Early Voting Aid to Localities Grant Program which will fund operational expenses such as payroll and supplies; and

WHEREAS, the Localities Grant Program was most recently extended by Resolution No. 229 of 2023 through January 28, 2024; and

WHEREAS, by letter dated July 16, 2024 from the Commissioners of Elections, a request is being made to allow the Chairman of the Legislature to execute a grant extension of the Early Voting Aid to Localities Grant Program through March 31, 2025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension through March 31, 2025 on behalf of the County of Herkimer for the Early Voting Aid to Localities Grant Program for the remaining grant funds of \$8,012.00, which will fund operational expenses such as payroll and supplies; 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: August 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 237

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, Resolution No. 227 of 2020 accepted a Cyber Security Grant in the Board of Elections through December 31, 2021; and

WHEREAS, the Cyber Security Grant was most recently extended by Resolution No. 313 of 2021 through December 31, 2023; and

WHEREAS, by letter dated July 16, 2024 from the Commissioners of Elections, your Committees have been advised that the New York State Board of Elections has notified them that the Cyber Security Grant has been extended to March 31, 2025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension to March 31, 2025 on behalf of the County of Herkimer with the New York State Board of Elections, in connection with the Cyber Security Grant for the remaining grant funds of \$26,719.00; 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: August 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 238

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 187 of 2021, this Legislature approved funding in connection with an Early Voting Expansion Grant in Board of Elections, which was most recently extended by Resolution No. 231 of 2024; and

WHEREAS, by letter dated July 16, 2024 from the Commissioners of Elections, a request is being made to allow the Chairman of the Legislature to execute a grant extension of the Early Voting Expansion Grant through March 31, 2025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension through March 31, 2025 on behalf of the County of Herkimer for the Early Voting Expansion Grant for the remaining grant funds of \$5,843.89; 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: August 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 239

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, this Legislature has approved contracts and extensions of contracts with the State of New York to receive certain grant funding in connection with the HAVA/Voter Education Grant contract, most recently by Resolution No. 98 of 2021; and

WHEREAS, by letter dated July 26, 2024 from the Commissioners of Elections, your Committees have been advised that the New York State Board of Elections has notified them that the HAVA/Voter Education Grant has been extended to March 31, 2025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension to March 31, 2025 on behalf of the County of Herkimer with the New York State Board of Elections, in connection with the HAVA/Voter Education Grant for the remaining grant funds of \$4,169.89; 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: August 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 240

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, pursuant to Resolution No. 251 of 2019, this Legislature approved funding in the Board of Elections for the EPoll Book Grant; and

WHEREAS, by letter dated July 16, 2024 from the Commissioners of Elections, a request is being made to allow the Chairman of the Legislature to execute a grant extension of the EPoll Book Grant through March 31, 2025; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension through March 31, 2025 on behalf of the County of Herkimer for the EPoll Book Grant Program for the remaining funds of \$28,345.18; and, be it further

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

Dated: August 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 241

REPORT AND RESOLUTION APPOINTING MEMBER TO THE HERKIMER COUNTY PLANNING BOARD

Sponsored by: Committee on County Planning & Development

WHEREAS, pursuant to Local Law No. 2, Section I for the year 1963, a County Planning Board was established; and

WHEREAS, letter dated August 5, 2024, the Chairman of the Herkimer County Legislature has made an appointment to fill a vacancy to the Herkimer County Planning Board; now, therefore, be it

RESOLVED, that the appointment of Frank Mendl, Little Falls, NY 13365 to fill a vacancy to the Herkimer County Planning Board with the terms as listed are hereby ratified and confirmed:

Appointment:
Frank Mendl, Little Falls, NY 13365

Term Expiration:
12/31/2026

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer-Oneida County Comprehensive Planning Board, and Frank Mendl.

Dated: August 14, 2024.



HERKIMER COUNTY LEGISLATURE

No. 242

RESOLUTION APPOINTING MEMBER TO THE HERKIMER COUNTY BOARD OF ETHICS

Sponsored by: Committee on Ways & Means

WHEREAS, the Ethics Law adopted by the Herkimer County Legislature provides for three year terms of members of the Herkimer County Board of Ethics; and

WHEREAS, there is currently a vacancy on the Herkimer County Board of Ethics; and

WHEREAS, by letter dated August 6, 2024 from Robert D. Hollum, Chairman, he has requested that Scott Scherer of Little Falls, NY be appointed to fill the unexpired term ending December 31, 2024, and also for the appointment to be for a three year term commencing January 1, 2025 through December 31, 2027; now, therefore, be it

RESOLVED, that the appointment of Scott Scherer to the Herkimer County Board of Ethics, to fill the unexpired term ending December 31, 2024 and with a three year term to expire December 31, 2027, is hereby ratified and confirmed; and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Ackerman, seconded by Mr. Beach, Report and Resolution No. 243 sponsored by the Committee on Education and the Committee on Ways & Means relative to the adoption of the Herkimer County Community College Budget was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 243

REPORT AND RESOLUTION RELATIVE TO THE ADOPTION OF THE HERKIMER COUNTY COMMUNITY COLLEGE BUDGET

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

WHEREAS, the Herkimer County Legislature, having conducted a Public Hearing on the tentative budget of the Herkimer County Community College on August 14, 2024, and after hearing all parties concerning the same; now, therefore, be it

RESOLVED, that the tentative budget of the Herkimer County Community College, for the year 2024-2025, in the total amount of \$24,526,269, of which the contribution of the County of Herkimer is \$1,830,612, be adopted; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Officer In Charge at Herkimer County Community College.

Dated: August 14, 2024.

On motion of Mr. Brezinski, seconded by Mr. Gaworecki, Report and Resolution No. 244 sponsored by the Committee on Education and the Committee on Ways & Means awarding proposal for roof replacement on the Physical Education building at Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 244

REPORT AND RESOLUTION AWARDING PROPOSAL FOR ROOF REPLACEMENT ON THE PHYSICAL EDUCATION BUILDING AT THE HERKIMER COUNTY COMMUNITY COLLEGE

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

WHEREAS, by letter dated July 17, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that Herkimer College has received proposals for Garland approved roofing contractors for the roof project at the Physical Education building; and

WHEREAS, said letter further advises it is the recommendation of CS Arch that the bid be awarded to the lowest bidder, Dewald Roofing, 85 Corporate Park Drive, Central Square, NY 13036, in the amount of \$3,726,536, based on the project specification and to include removal and replacement of the current roof; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves awarding a proposal for the replacement of the roof of the Physical Education building at Herkimer County Community College, to Dewald Roofing, in the amount of \$3,726,536; 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 Dewald Roofing.

Dated: August 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Conover, Report and Resolution No. 245 sponsored by the Committee on County Properties and the Committee on Ways & Means approving modified agreement between Herkimer County Community College with Herkimer Solar, LLC for the purchase of solar energy credits was handed up; voted on and adopted by roll call vote requested by Mr. Malta:

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

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 245

REPORT AND RESOLUTION APPROVING MODIFIED AGREEMENT BETWEEN HERKIMER COUNTY COMMUNITY COLLEGE WITH HERKIMER SOLAR, LLC FOR THE PURCHASE OF SOLAR ENERGY CREDITS

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

WHEREAS, Resolution No. 237 of 2020 authorized Herkimer County Community College to purchase solar energy credits through Herkimer Solar, LLC, 190 High St., 3rd Floor, Boston, MA 02110; and

WHEREAS, Herkimer County Community College entered into a VDER Value Stack Credit Sales Agreement [hereinafter "Agreement"] with Herkimer Solar, LLC at a discount rate of 16% and a base payment of 5 cents per kWh for a twenty year term, with annual escalation rate of 1.25%; and

WHEREAS, the parties amended said Agreement on October 1, 2020 to provide for a 16% fixed discount rate for the initial term, and further extended the Estimated Commercial Operations Date to December 31, 2023; and

WHEREAS, pursuant to the terms of the First Modification agreement, all other terms, provisions, covenants, and conditions of the October 1, 2020 Agreement remained in full force and effect unmodified; and

WHEREAS, Herkimer Solar, LLC has provided a proposed Second Modification Agreement to Herkimer County Community College that would extend the commercial operations date to December 31, 2024 with all prior provisions of the First Modification Agreement remaining in full force and effect unchanged; now, therefore, be it

RESOLVED, that Resolution No. 19-27C adopted on July 24, 2024, by the College Board of Trustees is hereby approved to authorize the College to enter into the Second Modification Agreement on the terms set forth above; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Senior Vice President for Administration and Finance of Herkimer County Community College, and Herkimer Solar, LLC.

Dated: August 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 246 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant and authorizing contract in the Department of Social Services for Non-Residential Domestic Violence Program was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 246

REPORT AND RESOLUTION ACCEPTING GRANT AND AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES FOR NON-RESIDENTIAL DOMESTIC VIOLENCE PROGRAM

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

WHEREAS, by letter dated July 17, 2024 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of the award of an additional \$25,000 to expand/enhance the domestic violence services for claims incurred from October 1, 2024 through September 30, 2025, and further requests a contract be entered into with Catholic Charities of Herkimer County to provide these services; now, therefore, be it

RESOLVED, that this Legislature accepts the additional funding from the New York State Office of Children and Family Services and authorizes an agreement between Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of Non-Residential Domestic Violence Services, for the period beginning October 1, 2024 to September 30, 2025, in the amount of \$25,000; 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 Catholic Charities of Herkimer County.

Dated: August 14, 2024.

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 247 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means creating project and amending budget in connection with Crime Victim Services Grant for District Attorney's Office was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 247

REPORT AND RESOLUTION CREATING PROJECT AND AMENDING BUDGET IN CONNECTION WITH CRIME VICTIM SERVICES GRANT FOR DISTRICT ATTORNEY'S OFFICE

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

WHEREAS, Resolution No. 46 of 2023 accepted an award from the New York State Office of Victim Services for the period of October 1, 2022 through September 30, 2025 for the Herkimer County Victim Services Program, with the amount of \$65,974.93 per year; and

WHEREAS, by communication dated July 16, 2024 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2024 Budget and create a project DA02-22, when said grant awards are received for the Victim Services Program in the District Attorney's Office; now, therefore, be it

RESOLVED, that the 2024 budget be amended to accept the year three funding as follows:

Revenue:

A1169.4389I, Crime Victims Coordinator, Federal Aid	From: \$0
	To: \$65,974.93

Appropriation:

A1169.10000-001, Victims Services Coordinator, Salaries	From: \$0
	To: \$50,428
A1169.46300, Victims Services Coordinator, Postage	From: \$0
	To: \$500
A1169.81000, Victims Services Coordinator, Retirement	From: \$0
	To: \$3,502
A1169.83000, Victims Services Coordinator, Social Security	From: \$0
	To: \$3,127
A1169.83500, Victims Services Coordinator, Medicare	From: \$0
	To: \$733
A1169.84000, Victims Services Coordinator, Workers Comp	From: \$0
	To: \$1,260
A1169.86000, Victims Services Coordinator, Health Insurance	From: \$0
	To: \$6,424.93

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: August 14, 2024.

On motion of Mr. Brewer, seconded by Mr. Donley, Report and Resolution No. 248 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving lease for communication system tower site was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 248

REPORT AND RESOLUTION APPROVING LEASE FOR COMMUNICATION SYSTEM TOWER SITE

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

WHEREAS, by Resolution No. 210 duly adopted on August 13, 2014, this Legislature authorized a lease agreement for a period of ten years with James F. Gage and Winona S. Gage for property located in the area of Aney Hill, in the Town of Stark; and

WHEREAS, by letter dated June 28, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request for a new 10 year lease between the County of Herkimer and James F. Gage and Winona S. Gage, at the following annual rates for rent: 2025 - \$5,321; 2026 - \$5,481; 2027 - \$5,645; 2028 - \$5,814; 2029 - \$5,988; 2030 - \$6,168; 2031- \$6,353; 2032 - \$6,544; 2033 - \$6,740; and 2034 - \$6,942; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a lease agreement for a period of ten years with James F. Gage and Winona S. Gage, State Route 28, Herkimer, New York, for lease of premises located in the Town of Stark, Herkimer County, New York, at the following annual rates for rent: 2025 - \$5,321; 2026 - \$5,481; 2027 - \$5,645; 2028 - \$5,814; 2029 - \$5,988; 2030 - \$6,168; 2031- \$6,353; 2032 - \$6,544; 2033 - \$6,740; and 2034 - \$6,942, and upon such terms and conditions as approved by 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, County Attorney, Director of Emergency Services, and James F. Gage and Winona S. Gage.

Dated: August 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Brewer, Report and Resolution No. 249 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving lease for communication system tower site was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 249

REPORT AND RESOLUTION APPROVING LEASE FOR COMMUNICATION SYSTEM TOWER SITE

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

WHEREAS, by Resolution No. 193 duly adopted on July 7, 2004, this Legislature authorized a lease agreement for a period of five years with Jan and Ron Pence for property located at 326 Spohn Road in the Town of Columbia to develop a new transmitter site to enhance public safety communications in southern Herkimer County, which lease agreement was extended most recently for five years by Resolution No. 325 of 2018; and

WHEREAS, by letter dated July 24, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request for a new 10 year lease between the County of Herkimer and Jan Pence and Steven Coveleski, at the following annual rates for rent: 2025 - \$5,000; 2026 - \$5,150; 2027 - \$5,305; 2028 - \$5,464; 2029 - \$5,628; 2030 - \$5,797; 2031 - \$5,971; 2032 - \$6,150; 2033 - \$6,335; and 2034 - \$6,525; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a lease agreement for a period of ten years with Jan Pence and Steven Coveleski, 132 Spohn Road, Ilion, New York, for lease of premises located at 326 Spohn Road in the Town of Columbia, Herkimer County, New York, at the following annual rates for rent: 2025 - \$5,000; 2026 - \$5,150; 2027 - \$5,305; 2028 - \$5,464; 2029 - \$5,628; 2030 - \$5,797; 2031 - \$5,971; 2032 - \$6,150; 2033 - \$6,335; and 2034 - \$6,525, and upon such terms and conditions as approved by 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, County Attorney, Director of Emergency Services, and Jan Pence and Steven Coveleski.

Dated: August 14, 2024.

On motion of Mr. Donley, seconded by Mr. Swartz, Report and Resolution No. 250 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means awarding electrical service contract for 911 Center and radio towers was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 250

REPORT AND RESOLUTION AWARDING ELECTRICAL SERVICE CONTRACT FOR 911 CENTER AND RADIO TOWERS

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

WHEREAS, by letter received May 30, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to contract with Doug's Electric Service LLC of Newport, NY to service the backup generators located at the 911 Center and primary radio towers at Dairy Hill, Aney Hill, and McCauley Mountain; and

WHEREAS, the 2024 service plan rates will be \$11,605.00 to service the 911 Center generator and electric, the Aney Hill generator and electric, the Dairy Hill generator and electric, and to service the McCauley Mountain generator and electric; now, therefore, be it

RESOLVED, that a contract be entered into with Doug's Electric Service LLC to service backup generators located at the 911 Center and primary radio towers at Dairy Hill, Aney Hill, and McCauley Mountain; 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, Director of Emergency Services, and Doug's Electric Service LLC.

Dated: August 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Malta, Report and Resolution No. 251 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding for the purchase of a service plan for Zetron radio system was handed up; voted on; and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 251

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING FOR THE PURCHASE OF A SERVICE PLAN FOR ZETRON RADIO SYSTEM

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

WHEREAS, by letter received July 15, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to purchase a service plan for Zetron radio system by utilizing SICG FY 21 grant funding; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through JPJ Electronics at a cost of \$10,070.00; now, therefore, be it

RESOLVED, that this Legislature approves the request to purchase a service plan for Zetron radio system through JPJ Electronics at a cost of \$10,070.00, by utilizing SICG FY 21 grant funding; and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 252 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding for the purchase of an extended service plan for Zetron phone system and software was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 252

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING FOR THE PURCHASE OF AN EXTENDED SERVICE PLAN FOR ZETRON PHONE SYSTEM AND SOFTWARE

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

WHEREAS, by letter received July 15, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to purchase an extended service plan for Zetron phone system and software by utilizing SHSP-21 grant funding; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through JPJ Electronics at a cost of \$10,282.74; now, therefore, be it

RESOLVED, that this Legislature approves the request to purchase an extended service plan for Zetron phone system and software through JPJ Electronics at a cost of \$10,282.74, by utilizing SHSP-21 grant funding; and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Brewer, seconded by Mr. Donley, Report and Resolution No. 253 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding for the purchase of an extended service plan for Zetron Computer Automated Dispatch System and software was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 253

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING FOR THE PURCHASE OF AN EXTENDED SERVICE PLAN FOR ZETRON COMPUTER AUTOMATED DISPATCH SYSTEM AND SOFTWARE

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

WHEREAS, by letter received July 15, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to purchase an extended service plan for Zetron Computer Automated Dispatch (CAD) system and software by utilizing SHSP-22 grant funding; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through JPJ Electronics at a cost of \$22,400.00; now, therefore, be it

RESOLVED, that this Legislature approves the request to purchase an extended service plan for Zetron Computer Automated Dispatch (CAD) system and software through JPJ Electronics at a cost of \$22,400.00, by utilizing SHSP-22 grant funding; and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 254 sponsored by the Committee on Ways & Means authorizing transfer of funds was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 254

REPORT AND RESOLUTION 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 July 16, 2024, submitting a request for a transfer of grant funding to reallocate for alternate uses, 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 transfer the following sum from and to the following accounts:

\$2,268 From: A3020A.25000, Em. Mgt., HSG, Other Equip., Proj.: EM02-15
 To: A3020A.44000, Em. Mgt., HSG, Cont. Svs., Proj.: EM02-15

\$3,457.43 From: A3020A.44000, Em. Mgt., HSG, Cont. Svs., Proj.: EM02-14
 To: A3020A.25000, Em. Mgt., HSG, Other Equip., Proj.: EM02-14

and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Donley, seconded by Mr. Malta, Report and Resolution No. 255 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means awarding proposal and transferring funds was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 255

REPORT AND RESOLUTION AWARDING PROPOSAL AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated July 12, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that proposals were received for topographic survey services for the new Sheriff's Administration building, to identify all features within the limits of the area including but not limited to buildings, catch basins, drainage features, utilities and elevations; and

WHEREAS, said letter further requests the proposal be awarded to Susan N. Anacker, 11082 Davis Road East, Deerfield, NY 13502, in the amount of \$10,110; and,

WHEREAS, the Budget Officer/Purchasing Agent has also advised a transfer of funds will be necessary to execute the contract; now, therefore, be it

RESOLVED, that a contract be awarded to Susan N. Anacker, 11082 Davis Road East, Deerfield, NY 13502, in the amount of \$10,110 for topographic survey services for the new Sheriff's Administration building; 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:

Transfer:	
\$10,110	From: A4089, Federal Aid, ARPA To: H4097, Fed Aid, Capital Project, Proj.: 30-1
\$10,110	From: A1989A.46000, ARPA, Miscellaneous To: H3110.44000, Sheriff, Capital, Contractual Proj.: 30-1

and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Donley, seconded by Mr. Brewer, Report and Resolution No. 256 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving purchase for Sheriff's Department and appropriating funds was handed up; voted on and adopted by roll call vote:

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

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



HERKIMER COUNTY LEGISLATURE

No. 256

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

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

WHEREAS, by letter dated July 16, 2024, Scott F. Scherer, Sheriff, has requested approval to purchase a 12 x 16 foot storage shed with overhead door, at a cost of \$5,988.50 from Backyard Outfitters, Herkimer, NY; and

WHEREAS, by letter dated July 16, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation 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 an appropriation be made as follows:

\$5,988.50 From: A909, Fund Balance
 To: A3150.25000, Jail, 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: August 14, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Swartz, Report and Resolution No. 257 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 (14). Against: None. Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 257

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 July 3, 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 2024-2025 award; and

WHEREAS, said letter further advises the grant totals \$80,956 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 July 9, 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, creation of a project, and the 2024 Herkimer County Budget is hereby amended as follows:

Revenue:

A3141A.3311A, Pretrial Services, State Aid, Proj: PR04-2	\$80,956
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Expense:

A3141A.10000-001, Pretrial Services, Salaries Proj: PR04-2 (create)	\$5,000
A3141A.41000, Pretrial Services, Supplies, Proj: PR04-2	\$5,000
A3141A.44000, Pretrial Services, Cont't Services, Proj: PR04-2	\$70,956

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: August 14, 2024.

On motion of Mr. Beach, seconded by Mr. Malta, Report and Resolution No. 258 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving renewal of agreement for Caseload Explorer software database in Probation was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 258

REPORT AND RESOLUTION APPROVING RENEWAL OF AGREEMENT FOR CASELOAD EXPLORER SOFTWARE DATABASE IN PROBATION

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

WHEREAS, since 2008 this Legislature authorized an agreement to accept the Caseload Explorer software database contracted with Catalis for the Herkimer County Probation Department; and

WHEREAS, by letter dated July 1, 2024 from Michael D. Scalise, Director of Probation, this Legislature is advised of a request to renew said agreement for the Caseload Explorer software database for the period of August 5, 2024 through August 4, 2025 at a cost of \$11,284.57; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Catalis, 3025 Windward Plaza, Suite 200, Alpharetta, Georgia 30005, for the Caseload Explorer software database for the Herkimer County Probation Department with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of August 5, 2024 through August 4, 2025 at an annual cost of \$11,284.57; and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Malta, seconded by Mr. Ackerman, Report and Resolution No. 259 sponsored by the Committee on Ways & Means authorizing payment for requests from American Rescue Plan funding was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 259

REPORT AND RESOLUTION AUTHORIZING PAYMENT 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, by letter dated July 11, 2024 from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, she has advised that a communication has been received requesting funding and has been approved for payment by the Legislator receiving the request for payment as follows:

Herkimer Parent Teachers Association \$1,500 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: August 14, 2024.

On motion of Mr. Campione, seconded by Mr. Beach, Report and Resolution No. 260 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing advance of funds to the County Road Fund was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 260

REPORT AND RESOLUTION AUTHORIZING ADVANCE OF FUNDS TO THE COUNTY ROAD FUND

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

WHEREAS, by letter dated July 16, 2024, Kimberlee Enea, Herkimer County Treasurer, has advised that New York State has changed the procedure by which they process reimbursement for the CHIPS, Pave-NY and Extreme Winter Recovery (EWR) projects back to the County Highway Department, and further requests advance of funds as needed from the General Fund to the County Road Fund, with General Fund reimbursement being made as funds are received from New York State; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized to advance up to \$4,000,000 as needed, from A200-ADK, General Fund to D200, County Road Fund; and, be it further

RESOLVED, that any funds advanced shall be repaid to the General Fund before accounts are closed for the fiscal year; 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: August 14, 2024.

On motion of Mr. Ackerman, seconded by Ms. Bennett, Report and Resolution No. 261 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing agreement to provide outside legal counsel was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 261

REPORT AND RESOLUTION AUTHORIZING AGREEMENT TO PROVIDE OUTSIDE LEGAL COUNSEL

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

WHEREAS, by letter dated July 19, 2024, Lorraine H. Lewandrowski, County Attorney, has requested authorization to enter into an agreement with Jeffrey T. Bochiechio, Esq.; and

WHEREAS, Jeffrey T. Bochiechio, Esq. will provide legal services to the Herkimer County Board of Elections to handle some of the Board of Elections needs, with a cap on expenditures at \$6,000; and,

WHEREAS, by letter dated July 16, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a transfer of funds will be necessary to allow for payments to outside counsel for the Board of Elections; now, therefore, be it

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

\$3,500	From: A1420.10000-001, County Attorney, Salaries
	To: A1420.44000, County Attorney, Contracted Services

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be authorized to enter into a retainer agreement with Jeffrey T. Bochiechio, Esq., upon approval of the County Attorney to terms of said retainer agreement, to provide legal services to the Herkimer County Board of Elections, with a cap on expenditures at \$6,000; and, be it further

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

Dated: August 14, 2024.

On motion of Ms. Bennett, seconded by Mr. Gaworecki, Report and Resolution No. 262 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contracts for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 262

REPORT AND RESOLUTION AMENDING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, Resolution No. 402 of 2023 authorized contracts for Herkimer County Mental Health Services; and

WHEREAS, by letter dated July 16, 2024, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of requests to amend contracts due to increases and a reduction in state funding; and

WHEREAS, said contracts shall be supported at the 100% state aid level; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute amended contracts with the following agencies to provide services to Herkimer County Mental Health Services:

1. Upstate Cerebral Palsy Association
125 Business Park Drive
Utica, NY 13502
From \$656,093 to \$682,895
2. ARC Herkimer
350 South Washington Street
Herkimer, NY 13350
From \$305,786 to \$305,826
3. Catholic Charities
61 West Street
Ilion, NY 13357

From \$598,183 to \$789,216

4. Center for Family Life and Recovery
502 Court St., Suite 401
Utica, NY 13502
From \$202,365 to \$223,151
5. Neighborhood Center
624 Elizabeth Street
Utica, NY 13501
From \$459,531 to \$276,446
6. Cornell Cooperative Extension
5657 State Route 5
Herkimer, NY 13350
From \$5,648 to \$5,704

and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Gaworecki, seconded by Ms. Bennett, Report and Resolution No. 263 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting Cost of Living funding adjustment from the Office of Mental Health and amending the budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 263

REPORT AND RESOLUTION ACCEPTING COST OF LIVING FUNDING ADJUSTMENT FROM THE OFFICE OF MENTAL HEALTH AND AMENDING THE BUDGET

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

WHEREAS, by letter dated July 8, 2024 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised that the Mental Health Department has received additional COLA funding in the amount of \$2,494 from the Office of Addiction Services and Supports, and requests that the Legislature approve the same; and

WHEREAS, by letter dated July 8, 2024 from Sheri A. Ferdula, Budget Officer/
Purchasing Agent, this Legislature is advised that an amendment to the 2024 Budget will be
necessary to utilize the funding; now, therefore, be it

RESOLVED, that the Herkimer County Legislature accepts a COLA increase from the
NYS Office of Addiction Services and Supports in the amount of \$2,494; and, be it further

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

A4320.3490, Mental Health, State Aid	From: \$608,854
	To: \$611,348
A4320.44000, Mental Health, Con't Svcs.	From: \$205,636
	To: \$208,130

and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Ackerman, seconded by Mr. Conover, Report and Resolution No. 264
sponsored by the Committee on Human Resources and the Committee on Ways & Means
accepting funding and amending 2024 budget was handed up; voted on and adopted by voice
vote:

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



HERKIMER COUNTY LEGISLATURE

No. 264

REPORT AND RESOLUTION ACCEPTING FUNDING AND AMENDING 2024 BUDGET

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

WHEREAS, by letter dated July 17, 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, 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 2024 Budget, and
accept the funding; now, therefore, be it

State Aid; now, therefore, be it

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

A4322.3490, Contracted Mental Health, State Aid	From: \$2,227,606
	To: \$2,283,238
A4322.44000-352, Contracted Mental Health, Con't Agency	From: \$2,227,606
	To: \$2,283,238
A4320.3490, Mental Health, State Aid	From: \$611,348
	To: \$611,935
A4320.44000, Mental Health, Contracted Services	From: \$208,130
	To: \$208,717

and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Malta, seconded by Mr. Weakley, Report and Resolution No. 266 sponsored by the Committee on Ways & Means approving 2025 Annual Estimate and Apportionment for the Herkimer County Workers' Compensation Self-Insured Plan was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 266

REPORT AND RESOLUTION APPROVING 2025 ANNUAL ESTIMATE AND APPORTIONMENT FOR THE HERKIMER COUNTY WORKERS' COMPENSATION SELF-INSURED PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee has received from Steven R. Billings, Personnel Officer, the 2025 Annual Estimate and Apportionment for the Herkimer County Workers' Compensation Self-Insured Plan for the purposes of tail claims run-off; and

WHEREAS, your Committee on Ways and Means has considered said Estimate and Apportionment and has approved the same; now, therefore, be it

RESOLVED, that this Legislature hereby approves the Annual Estimate and Apportionment of the Herkimer County Workers' Compensation Self-Insured Plan for the purposes of tail claims run-off for the year 2025; and, be it further

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

Dated: August 14, 2024.

On motion of Ms. Bennett, seconded by Mr. Weakley, Report and Resolution No. 267 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. III in the Mental Health Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 267

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

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

WHEREAS, by letter dated July 18, 2024 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend Salary Schedule No. III; and

WHEREAS, by letter dated July 26, 2024 from Steven Billings, Personnel Officer, requests to amend Salary Schedule No. III to delete two positions of Account Clerk/Typist and one position of Account Clerk in Account A4320 and adding three positions of Senior Account Clerk in Account A4320 at a 2024 annual base salary of \$35,253 per year; 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 A4320 to delete two positions of Account Clerk/Typist and one position of Account Clerk and add three positions of Senior Account Clerk, at an annual base pay rate of \$35,253; and, be it further

RESOLVED, this change will be effective August 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 Community Services.

Dated: August 14, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 268 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, Hollum, Brewer, Bennett, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Conover, Weakley (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 268

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 July 19, 2024 from Christina Cain, Director of Public Health, this Legislature is advised of a request to amend Salary Schedule No. III; and

WHEREAS, by letter dated July 26, 2024 from Steven Billings, Personnel Officer, requests to amend Salary Schedule No. III to delete one position of Office Manager and one position of Account Clerk/Typist in Account A4010 and adding two positions of Principal Account Clerk in Account A4010 at a 2024 annual base salary of \$38,928 per year; 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 A4010 to delete one position of Office Manager and one position of Account Clerk/Typist and add two positions of Principal Account Clerk, at an annual base pay rate of \$38,928; and, be it further

RESOLVED, this change will be effective August 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: August 14, 2024.

On motion of Mr. Brewer, seconded by Mr. Weakley, Report and Resolution No. 269 sponsored by the Committee on County Properties and the Committee on Ways & Means awarding bid for roof replacement at the 108 Court Street building and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 269

REPORT AND RESOLUTION AWARDING BID FOR ROOF REPLACEMENT AT THE 108 COURT STREET BUILDING AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated August 5, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that bids were opened and read aloud on Thursday August 1, 2024 for the replacement of the roof at the 108 Court Street building; and

WHEREAS, said letter further advises it is the recommendation of Nelson and Associates Architectural Engineering that the bid be awarded to the lowest bidder, Pulver Roofing Co., Inc., 1418 Erie Street, Utica, NY 13502, in the amount of \$274,000; and

WHEREAS, a transfer of funds from the American Rescue Plan funding will be necessary to complete this project; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the replacement of the roof at the 108 Court Street building, to Pulver Roofing Co., Inc., in the amount of \$274,000; and, be it further

RESOLVED, funds will be necessary and have been verified for the following transfer:

Transfer:

\$274,000

From: A4089, Federal Aid, ARPA

To: H4097, Fed Aid, Capital Project, Project 16-5

\$274,000

From: A1989A.46000, ARPA, Miscellaneous

To: H1620.40000, Buildings, Contractual, 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 Pulver Roofing Co., Inc.

Dated: August 14, 2024.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 270 sponsored by the Committee on County Properties and the Committee on Ways & Means approving sale of County owned tax acquired land and approving opening a bank account was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 270

REPORT AND RESOLUTION APPROVING SALE OF COUNTY OWNED TAX ACQUIRED LAND AND APPROVING OPENING A BANK ACCOUNT

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

WHEREAS, by Resolution No. 159 for the year 2024 duly adopted on May 15, 2024, this Legislature authorized and directed the sale at public auction, after due advertisement, of certain county owned tax acquired real property under the direction of the County Treasurer; and

WHEREAS, the Properties Committee of this Legislature reports that said sale was duly held pursuant to said direction June 26, 2024 through July 10, 2024 as an online only auction; and

WHEREAS, pursuant to the terms of sale, the successful bidder on each parcel sold is required to pay the full purchase price together with recording fee and transfer tax by 3:00 p.m. on August 2, 2024; and

WHEREAS, the Properties Committee reports that 53 bids were received at the auction, with one bid not accepted by the Committee, and the total amount to be received on said sales is \$1,478,450 as shown on the lists made available to each legislator and filed with the Clerk of the Legislature; and

WHEREAS, the Properties Committee recommends approval of each sale as set forth on said list, and conveyance of each said parcel to the successful bidder thereon providing payment

in full of the amount bid and required fees are received by the County Treasurer's Office; and

WHEREAS, the auction terms provide that default by a purchaser for failure to meet the terms of the auction shall result in forfeiture of the required deposit; and

WHEREAS, by letter dated July 24, 2024, Kimberlee A. Enea, County Treasurer, has requested to open a new custodial bank account to maintain any surplus funds derived from the sale of county owned properties through the auction; now, therefore, be it

RESOLVED, that this Legislature approves the sales by auction reported by the Properties Committee and authorizes the County Treasurer to convey each said property, to the successful bidder thereon, provided said bidder has paid the required purchase price and expenses to the County Treasurer, and to make conveyance by quit claim deed and to record each said deed; and, be it further

RESOLVED, that the County Property Agent is hereby instructed to advise the County Attorney's Office of defaults by purchasers, and the County Attorney's Office is hereby instructed to bring legal procedures if necessary to enforce said provision of the auction terms, reporting thereon to the Properties Committee of this Legislature, which shall have authority to confer with the County Attorney's Office as to any proposed settlement of said proceedings; and, be it further

RESOLVED, that the County Property Agent is hereby authorized to solicit sealed bids for the sale of any of the properties which were not conveyed based on the default of purchasers or for any other reason provided that said County Property Agent shall submit to the Committee on County Properties any and all bids, which bids shall be subject to the approval of the full Legislature; and, be it further

RESOLVED, that the Herkimer County Treasurer is authorized to open a new bank account to maintain any surplus funds deriving from the sale of county owned properties through the auction; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, Chairman of the Committee on County Properties, and the County Attorney.

Dated: August 14, 2024.

On motion of Mr. Beach, seconded by Mr. Malta, Resolution No. 271 sponsored by the Committee on Ways & Means approving standard work day and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 271

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

Sponsored by: Committee on Ways and Means

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

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy - mm/dd/yy)	Record of Activities Result	Not Submitted: (Check only if official did not submit their Record of Activities)
Elected Officials								
Legislator	6	Mark Gaworecki	■■■■	■■■■		01/01/24-12/31/25	7.42	
Legislator	6	Bob D. Hollum	■■■■	■■■■		01/01/24-12/31/25	19.06	
Legislator	6	John Brewer	■■■■	■■■■		01/01/24-12/31/25	2.48	
Legislator	6	Cynthia A. Bennett	■■■■	■■■■		01/01/24-12/31/25	1.82	
Legislator	6	Ron Beach, Jr.	■■■■	■■■■		01/01/24-12/31/25		✓
Legislator	6	Kurt J. Ackerman	■■■■	■■■■		01/01/24-12/31/25	5.14	

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County

Treasurer, Personnel Officer, and Principal Account Clerk in the Treasurer's Office.

Dated: August 14, 2024.

On motion of Mr. Ackerman, seconded by Mr. Bick, Resolution No. 272 sponsored by the Committee on Administration/Veterans' Affairs urging New York State to keep the Alger Island Campground and Fourth Lake Day Use Area open was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 272

RESOLUTION URGING NEW YORK STATE TO KEEP THE ALGER ISLAND CAMPGROUND AND FOURTH LAKE DAY USE AREA OPEN

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) seeks to close Alger Island Campground and Fourth Lake Day Use Area; and

WHEREAS, Alger Island is a bio diverse island located in the western Adirondack Mountains in Northern Herkimer County, situated on the southside of Fourth Lake, home to the Alger Island Public Campground & Fourth Lake Day Use Area; and

WHEREAS, Alger Island was purchased by the State of New York in 1950, and began construction of lean-tos and amenities between 1960 and 1968 for the purpose of camping and fishing; and

WHEREAS, Alger Island Public Campground has been utilized in this capacity continuously since; and

WHEREAS, Alger Island has become a destination for tourists as well as the citizens of Herkimer and Hamilton counties, especially those living in the towns of Webb and Inlet; and

WHEREAS, many people have spent countless vacation days enjoying the amenities and location of the island; and

WHEREAS, the use of Alger Island has contributed to the economic sustainability of many businesses on and off the first four lakes of the Fulton Chain, and

WHEREAS, on or about September 2015, NYSDEC and the Adirondack Park Agency (APA) entered into an agreement, referred to as the Unit Management Plan; and

WHEREAS, the plan was determined to be consistent with Environmental Conservation Law, adopted on September 23, 2015; and

WHEREAS, the agreement is sound and allows for continued use, while fostering solid environmental stewardships along with controlled access for the citizens of New York and environmental protections; and

WHEREAS, the ceasing of operations and the closure of Alger Island will present significant negative economic impact to the surrounding towns and loss of employment and New York State benefits to those working at that location; and

WHEREAS, the closure will likely have a detrimental impact to the environment of the island causing blight; and

WHEREAS, unmonitored use may lead to unregulated pollutants and garbage being strewn throughout the property and into the waters around the island; and

WHEREAS, long term squatting in association with the lack of sanitary maintenance will cause discharge of unsafe biological organisms, leading to unhealthy conditions in locations where many visitors and residents recreate and swim; and

WHEREAS, overuse resulting from lack of environmental oversight by NYSDEC rangers and conservation officers, will result in accelerated erosion and diminishing water quality; now, therefore, be it

RESOLVED, that the Herkimer County Legislature, on behalf of their constituents and the tourism communities, urges the State of New York and the New York State Department of Environmental Conservation to keep the Alger Island Campground and Fourth Lake Day Use Area open and to continue operating with the existing Unit Management Plan, circa September 23, 2015; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Kathy Hochul, Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, Senator Joseph A. Griffo, New York State Association of Counties, New York State Department of Environmental Conservation, Hamilton County Board of Supervisors, Town of Inlet Supervisor, Town of Webb Supervisor, Central Adirondack Association, and The Fulton Chain of Lakes Association.

Dated: August 14, 2024.

On motion of Mr. Malta, seconded by Mr. Gaworecki, Resolution No. 273 sponsored by the Committee on County Properties authorizing application for and acceptance of Erie Canalway Capital Grant in relation to the Historic 1834 Jail was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Schrader, Keeler, Haehl (3).



HERKIMER COUNTY LEGISLATURE

No. 273

RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF ERIE CANALWAY CAPITAL GRANT IN RELATION TO HISTORIC 1834 JAIL

Sponsored by: Committee on County Properties

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

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

WHEREAS, the Erie Canalway Capital Grant Program will offer competitive grant funding with grant application period opening in the fall of 2024; and

WHEREAS, submission of grant applications for Erie Canal Gateway grants for the 1834 Historic Herkimer Jail is limited to the owner of the Historic Herkimer 1834 Jail; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign and submit an application for an Erie Canal Gateway grant in an amount not to exceed One Hundred Thousand Dollars (\$100,000) for a project to restore and rehabilitate the shed addition to the Historic 1834 Jail on behalf of the Friends of Historic Herkimer County; and, be it further

RESOLVED, that if the grant application is successful, Friends of Historic Herkimer County will obtain approval of all contracts for repair and improvement of the premises and said contracts shall be subject to the requirements of New York State Municipal Law, including but not limited to competitive bidding requirements and prevailing wage requirements; and, be it further

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

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to execute any preservation covenant grant, covenant, or other documentation required for the aforesaid grant; and, be it further

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

Dated: August 14, 2024.

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 274 sponsored by the Committee on Highways and the Committee on Ways & Means approving purchases for large equipment in Highway Department was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 274

REPORT AND RESOLUTION APPROVING PURCHASES FOR LARGE EQUIPMENT IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated August 12, 2024, Mark Nagele, County Highway Superintendent, has requested approval for purchase of large equipment for the Highway Department, with CHIPS funds being used to pay for the below purchases:

PROPOSED EQUIPMENT	ESTIMATED COST
A. One (1) new 2025 Western Star Tractor Truck Model 49X per Onondaga County Heavy Duty Class 8 Bid Reference #001914 Tracey Road Equipment, 6803 Manlius Center Rd., East Syracuse, NY 13057	\$210,472.32
B. One (1) new 2025 Freightliner 6-wheel Dump Truck – Model M2 106 Plus set back axle cab/chassis 10’ Body Two (2) new 2025 Freightliner 6-wheel Dump Trucks – Model M2 106 Plus set back axle cab/chassis 9’ Body per Onondaga County Heavy Duty Class I Bid Reference # 0010914 Tracey Road Equipment, 6803 Manlius Center Rd., East Syracuse, NY 13057	\$158,618.08 \$315,250.56
C. (4) new 2025 Freightliner 10-wheel Dump Trucks – Model 114SD SBA Plus set back axle cab/chassis per Onondaga County Heavy Duty Class I Bid Reference # 0010914 Tracey Road Equipment 6803, Manlius Center Rd., East Syracuse, NY 13057	\$689,182.84

Total \$1,373,523.80

now, therefore, be it

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

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

Dated: August 14, 2024.

On motion of Mr. Brewer, seconded by Mr. Bick, Report and Resolution No. 275 sponsored by the Committee on Ways & Means authorizing contract for marketing, creating account, and transferring funds was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 275

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR MARKETING, CREATING ACCOUNT, AND TRANSFERRING FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, request has been made to enter into a contract with Viewpoint for marketing in the amount of \$29,300; and

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated August 9, 2024, submitting a request for the creation of an account and 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 and create an account in the 2024 Budget:

Transfer:	
\$29,300	From: A4089, Federal Aid, ARPA
	To: A1010B.4089A, Community Development, ARPA (create)
\$29,300	From: A1989A.46000, ARPA, Miscellaneous

To: A1010B.46000-678, Community Development, Advertising

and, be it further

RESOLVED, that the above described marketing contract with Viewpoint in the amount of \$29,300 is hereby approved; and, be it further

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

Dated: August 14, 2024.

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

At 7:20 p.m. on motion of Mr. Malta, seconded by Mr. Weakley, the Legislature adjourned to Wednesday, September 11, 2024 at 7:00 p.m.

Brittney R. Viscomi, Clerk