

MINUTES
Herkimer County Legislature
Third Quarter – Fourth Day
Wednesday, September 11, 2024
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Vice-Chairman Peter J. Campione at 7:00 p.m.

Vice-Chairman Campione called on Mark Nagele, County Highway Superintendent, to lead the Legislature in the Pledge of Allegiance.

Vice-Chairman Campione requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County and a remembrance on this day for all those who perished in the tragic events of September 11, 2001.

Roll Call: Quorum present, the following answering the roll:

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

Absent: Hollum, Conover (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Vice-Chairman Campione asked if there were any objections or corrections to the minutes of August 14, 2024. There were none, and the Vice-Chairman ordered them approved.

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

Vice-Chairman Campione 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. 371 – A communication was received from the Solid Waste Authority submitting information on Regional Demolition Program. Filed.

No. 372 – A communication was received from the Solid Waste Authority submitting Resolutions. Filed.

No. 373 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 374 – A communication was received from NYSAC acknowledging receipt of Resolution No. 272. Filed.

No. 375 – A communication was received from the Personnel Officer requesting approval for reimbursement to county employees for flu shots administered by the Herkimer County Public Health Department. Referred to the Committee on Ways & Means.

No. 376 – A communication was received from the County Administrator requesting to hire Deuel Archaeology in connection with broadband project. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 377 – A communication was received from the Sheriff submitting June 2024 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 378 – A communication was received from the Sheriff submitting July 2024 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 379 – A communication was received from the Highway Superintendent requesting pavement damage repair costs. Referred to the Committee on Highways.

No. 380 – A communication was received from the Highway Superintendent requesting motor work on Truck #5. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 381 – A communication was received from the Budget Officer/Purchasing Agent requesting to advertise for RFP's for work to be performed at 109 Mary Street building. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 382 – A communication was received from the STOP-DWI Coordinator requesting approval of 2025 STOP-DWI Plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 383 – A communication was received from the Commissioner of Social Services requesting MOU between DSS and OFA for Home Energy Assistance Program. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 384 – A communication was received from the Commissioners of Elections requesting extension of Absentee Postage Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 385 – A communication was received from the Commissioners of Elections requesting extension of TIER Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 386 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Veterans Peer Support Program. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 387 – A communication was received from the Commissioner of Social Services requesting renewal of contract with Catholic Charities for the TREATY Program. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 388 – A communication was received from the Director of Weights and Measures requesting Resolution to renew Petroleum Product Quality Program grant in Weights and Measures. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 389 – A communication was received from the Budget Officer/Purchasing Agent requesting transfers in 2024 Budget. Referred to the Committee on Ways & Means.

No. 390 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with increased state aid in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 391 – A communication was received from the Director of Employment & Training requesting sub-lease agreement with Herkimer BOCES. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 392 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of accounts for Aid to Defense funding. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 393 – 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. 394 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for Public Defender. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 395 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for IDA CDBG funding. Referred to the Committee on Ways & Means.

No. 396 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding for the IIIC-1 Program in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 397 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding for the IIIB Program in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 398 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding for the CSE Program in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 399 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding for the Unmet Needs Program in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 400 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding for the WIN Program in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 401 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for additional funding for the NY Connects Program in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 402 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for insurance recoveries. Referred to the Committee on Ways & Means.

No. 403 – A communication was received from the Director of Public Health requesting contract with JC Logistics. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 404 – A communication was received from the Director of the Office for the Aging requesting contract amendment with Fidelis Care New York. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 405 – A communication was received from the Director of the Office for the Aging requesting contract amendment for legal services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 406 – A communication was received from the Director of Public Health requesting contract with Wellcare in Public Health and Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 407 – 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. 408 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds for door replacement at ETA. Referred to the Committee on Ways & Means.

No. 409 – A communication was received from the Budget Officer/Purchasing Agent requesting renewal of contract for waste removal services. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 410 – A communication was received from the Director of Emergency Services requesting to reprogram county radios. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 411 – A communication was received from the Commissioner of Social Services requesting contract with CFLR for Family Centered Support Program. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 412 – A communication was received from the Personnel Officer requesting amendment to the hourly salary schedule. Referred to the Committee on Ways & Means.

No. 413 – A communication was received from the Personnel Officer requesting amendment to Res. No. 113 of 2024. Referred to the Committee on Ways & Means.

No. 414 – A communication was received from the Personnel Officer requesting to amend Salary Schedule No. II and No. III in the Emergency Services Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 415 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in connection with contract for advertising with WKTV. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 416 – A communication was received from the Sheriff requesting MOU for Police Mutual Aid. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 417 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of account and budget amendment in connection with Mohawk Valley EDGE Grant for IDA. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 418 – A communication was received from the Budget Officer/Purchasing Agent requesting change order in connection with 108 Court Street remodel and a transfer of funds. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 419 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to Resolution No. 183 of 2024 and an additional appropriation of funds. Referred to the Committee on Ways & Means.

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

On motion of Mr. Weakley, seconded by Mr. Bick, Resolution No. 276 – Resolution No. 279 were handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).

Consent Agenda:

- 276 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections
- 277 ADMIN./VETS. AFFAIRS, WAYS & MEANS: Extending contract for grant for Board of Elections
- 278 PUB. SFTY./EMER. MGMT., WAYS & MEANS: Approving 2025 STOP-DWI Plan
- 279 WAYS & MEANS: Authorizing transfers of funds in 2024 Budget



HERKIMER COUNTY LEGISLATURE

No. 276

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 2021, this Legislature approved funding in connection with a Technology Innovation and Election Resource Grant Program in Board of Elections; and

WHEREAS, by letter dated July 26, 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 Technology Innovation and Election Resource 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 Technology Innovation and Election Resource Grant Program for the remaining funds of \$64,184.92; 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: September 11, 2024.



HERKIMER COUNTY LEGISLATURE

No. 277

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. 258 of 2022, this Legislature approved funding in connection with an Absentee Ballot Pre-Paid Postage Grant in Board of Elections; and

WHEREAS, by letter dated July 26, 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 Absentee Ballot Pre-Paid Postage 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 Absentee Ballot Pre-Paid Postage Grant for the remaining grant funds of \$42,189.65; 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: September 11, 2024.



HERKIMER COUNTY LEGISLATURE

No. 278

REPORT AND RESOLUTION APPROVING 2025 STOP-DWI PLAN

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

WHEREAS, the New York State Legislature, by Chapter 913 of the Laws of 1981, established a Special Traffic Options Program for Driving While Intoxicated; and

WHEREAS, the said Law provides for the establishment of such a program by the counties of the State of New York; and

WHEREAS, the Herkimer County Legislature authorized by Resolution No. 270 for the year 1981, participation by the County of Herkimer in the STOP-DWI Program; and

WHEREAS, by letter dated August 19, 2024, John Lynch, STOP-DWI Coordinator, has submitted the STOP-DWI Plan for the year 2025 for approval by this Legislature; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby approves the STOP-DWI Plan for 2025;
2. That the funds accrued in the year 2024 and prior thereto be expended for the continuance of the STOP-DWI Program;
3. That the STOP-DWI Coordinator and Advisory Board submit timely reports regarding revenue obtained and expended within limits previously approved, to the appropriate committees of the County Legislature;
4. That the previous resolutions regarding the STOP-DWI Program be continued as resolved;
5. That certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, STOP-DWI Coordinator, and the New York State Department of Motor Vehicles.

Dated: September 11, 2024.



HERKIMER COUNTY LEGISLATURE

No. 279

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN 2024 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated August 18, 2024, submitting requests for transfers of funds in the 2024 budget to cover unanticipated expenses and return unused funding from ARPA projects, 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:

\$3,000	From: A1340.45000, Budget & Purchasing, Fees for Services To: A1420.44000, County Attorney, Contracted Services
\$880	From: H4097, Capital, Federal Aid, Project 31-1 To: A4089, Federal Aid, ARPA, Project 31-1

\$880 From: H1620.40000, Buildings, Capital Contractual Project 31-1
To: A1989A.46000, ARPA, Miscellaneous Expense, Project 31-1

\$5,913.57 From: A1680A.4089A, Info Services, ARPA
To: A4089, Federal Aid, ARPA

\$5,913.57 From: A1680A.22000, Info Services, ARPA, Computer Equipment
To: A1989A.46000, ARPA, Miscellaneous Expense

\$66.48 From: A6775B.4089A, Aging, ARPA
To: A4089, Federal Aid, ARPA

\$66.48 From: A6775B.40700, Aging, ARPA, Computer Software
To: A1989A.46000, ARPA, Miscellaneous Expense

\$64,068.83 From: H4097, Capital, Federal Aid, Project 413
To: A4089, Federal Aid, ARPA, Project 413

\$64,068.83 From: H5197.40000, Highway Capital, Contractual, Project 413
To: A1989A.46000, ARPA, Miscellaneous, Project 413

\$339,482.06 From: H4097, Capital, Federal Aid, Project 414
To: A4089, Federal Aid, ARPA, Project 414

\$339,482.06 From: H5197.40000, Highway Capital, Contractual, Project 414
To: A1989A.46000, ARPA, Miscellaneous, Project 414

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Ackerman, seconded by Mr. Donley, Report and Resolution No. 280 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing contract and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 280

REPORT AND RESOLUTION AUTHORIZING CONTRACT AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated August 22, 2024 from Vincent J. Bono, Community Development Director, this Legislature is advised of a request to enter into an agreement with WKTV for advertising of the Herkimer County Calendar of Events, for a one year period at a cost of \$1,000 per month; and

WHEREAS, by letter dated August 28, 2024 from Sheri Ferdula, Budget Officer/ Purchasing Agent, has requested a transfer to complete the contract; now, therefore, be it

RESOLVED, that the Treasurer be authorized to make the following transfer to complete the contract:

\$12,000 From: A1990.46000, Contingent Fund, Miscellaneous Expense
 To: A1010B.44000, Community Development, Contracted Services

and, be it further

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

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

Dated: September 11, 2024.

On motion of Mr. Donley, seconded by Mr. Malta, Report and Resolution No. 281 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Salary Schedule No. II and Salary Schedule No. III in Emergency Services was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 281

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II AND SALARY SCHEDULE NO. III IN EMERGENCY SERVICES

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

WHEREAS, by letter dated August 29, 2024, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. II should be amended to change the base pay for the title of Supervising Public Safety Telecommunicator in Account A3021 from \$53,315 to \$52,000; and

WHEREAS, said letter further requests to amend Salary Schedule No. III to delete two positions of Senior Public Safety Telecommunicator and adding two positions of Public Safety Telecommunicator in Account A3021; now, therefore, be it

RESOLVED, that Salary Schedule No. II be amended to change the base pay for the title of Supervising Public Safety Telecommunicator in Account A3021 from \$53,315 to \$52,000; and, be it further

RESOLVED, that Salary Schedule No. III be amended to delete two positions of Senior Public Safety Telecommunicator and adding two positions of Public Safety Telecommunicator in Account A3021; and, be it further

RESOLVED, that these changes will take effect September 30, 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 Emergency Services.

Dated: September 11, 2024.

On motion of Mr. Brewer, seconded by Mr. Weakley, Report and Resolution No. 282 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 282

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated August 22, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to upgrade the computer and networking equipment for the 911 Center and the Emergency Operations Center, as well as adding switches and routers for redundancy and network security, by utilizing EMPG FY 22 funding; and

WHEREAS, letter further advises this upgrade will be in the amount of \$18,205.28; and

WHEREAS, by letter dated August 22, 2024, from Sheri Ferdula, Budget Officer/Purchasing Agent, she has requested a transfer to complete the above purchase; now, therefore, be it

RESOLVED, that this Legislature approves the request to upgrade the computer and networking equipment for the 911 Center and the Emergency Operations Center, as well as adding switches and routers for redundancy and network security, by utilizing EMPG FY 22 funding, at a cost of \$18,205.28; and, be it further

RESOLVED, that the Treasurer be authorized to make the following transfer to complete the purchase:

\$14,328	From: A3020A.44000, EM HSG, Contracted Svs, Proj.: EM06-9
	To: A3020A.25000, EM HSG, Other Equipment, Proj.: EM06-9

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: September 11, 2024.

On motion of Mr. Malta, seconded by Mr. Keeler, Report and Resolution No. 283 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding to reprogram mobile and portable radios was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 283

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING TO REPROGRAM MOBILE AND PORTABLE RADIOS

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

WHEREAS, by letter received August 21, 2024, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to reprogram mobile and portable radios in the county to include the interoperability channels that are required by the State for emergency use by utilizing SICG FY 20 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 \$40,266.60; now, therefore, be it

RESOLVED, that this Legislature approves the request to reprogram mobile and portable radios in the county through JPJ Electronics at a cost of \$40,266.60, by utilizing SICG FY 20 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: September 11, 2024.

On motion of Mr. Donley, seconded by Mr. Weakley, Report and Resolution No. 284 sponsored by the Committee on Ways & Means amending Resolution No. 113 of 2024 was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 284

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 113 OF 2024

Sponsored by: Committee on Ways and Means

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

WHEREAS, Resolution No. 113 of 2024 amended the hourly salary schedule to add the title of Administrative Assistant in Account A3315 at an hourly pay rate of \$28.85, for a temporary position to end six months from April 3, 2024; and

WHEREAS, by letter dated August 21, 2024, John W. Lynch, STOP-DWI Coordinator, has requested to extend the temporary position; and

WHEREAS, by letter dated August 29, 2024, Steven Billings, Personnel Officer, requests to amend Resolution No. 113 of 2024 to extend the expiration date of the Administrative Assistant position in Account A3315 at an hourly pay rate of \$28.85 per hour, through December 31, 2024; and

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

RESOLVED, that Resolution No. 113 of 2024 be amended to extend the expiration date of the Administrative Assistant in Account A3315 at an hourly pay rate of \$28.85, through December 31, 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 STOP-DWI Coordinator.

Dated: September 11, 2024.

On motion of Mr. Swartz, seconded by Mr. Beach, Report and Resolution No. 285 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, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Weakley (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 285

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 July 17, 2024, Michael Testa, Director of Information Services, has requested to amend the hourly salary schedule; and

WHEREAS, by letter dated August 29, 2024, Steven Billings, Personnel Officer, requests to amend the hourly salary schedule to increase the hourly rate for the title of Computer Programmer in Account A1680 from \$35.32 per hour to \$40.00 per hour, effective September 16, 2024; and

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

RESOLVED, that the hourly salary schedule be amended to increase the hourly rate for the title of Computer Programmer in Account A1680 from \$35.32 per hour to \$40.00 per hour, effective September 16, 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 Information Services.

Dated: September 11, 2024.

On motion of Mr. Ackerman, seconded by Mr. Donley, Report and Resolution No. 286 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting funding and authorizing an agreement in connection with Family Centered Services for Herkimer County Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 286

REPORT AND RESOLUTION ACCEPTING FUNDING AND AUTHORIZING AN AGREEMENT IN CONNECTION WITH FAMILY CENTERED SERVICES FOR HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated August 15, 2024, Timothy Seymour, Commissioner of Social Services, has requested to accept funding in the amount of \$165,385 for a Family Centered Services (FCS) program for a period of July 1, 2024 through June 30, 2025, designed to target the complex needs related to mental health conditions, developmental disabilities, substance abuse disorder, homelessness, domestic violence, and other situations creating barriers to self-sufficiency; and

WHEREAS, said letter further requests to authorize the Chairman to execute an agreement with the Center for Family Life and Recovery, 502 Court Street, Suite 201, Utica, NY 13502 to provide the personnel necessary to establish a Family Centered Support program, at a cost not to exceed the \$165,385 awarded to Herkimer County for the period of July 1, 2024 through June 30, 2025; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an agreement with Center for Family Life and Recovery, in the amount of \$165,385 to provide the personnel necessary to establish a Family Centered Support program for the Herkimer County Department of Social Services, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall continue so long as 100% funding is available; 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 Center for Family Life and Recovery.

Dated: September 11, 2024.

On motion of Mr. Campione, seconded by Mr. Brezinski, Resolution No. 287 sponsored by the Committee on Highways reappointing County Superintendent of Highways was handed up; voted on and adopted by voice vote:

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

County Highway Superintendent Mark Nagele thanked the Legislature for his re-appointment.



HERKIMER COUNTY LEGISLATURE

No. 287

RESOLUTION REAPPOINTING COUNTY SUPERINTENDENT OF HIGHWAYS

Sponsored by: Committee on Highways

RESOLVED, that Mark Nagele of Herkimer, New York, be and he hereby is,

reappointed County Superintendent of Highways for the County of Herkimer pursuant to the provisions of the Highway Law of the State of New York for a term of four years, to expire on September 25, 2028, at a salary as set forth in the 2024 Salary Schedule for the County of Herkimer; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 288 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: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 288

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

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

WHEREAS, by letter dated August 14, 2024, Christina Cain, Director of Public Health, has requested a contract with JC Logistics to identify errors in transportation billing with contracted transportation agencies, coordinate the transportation needs of the children in the preschool special education programs, and liaise between the contracted transportation agencies and families by coordinating transportation of their child to and from programming; and

WHEREAS, this contract will be for a period of September 1, 2024 through August 31, 2025, with an hourly rate of services cost of \$55 per hour, with up to 10 hours per month for the months of September through May and also July, and up to 20 hours per month for the months of June and August, with a total of up to 140 hours to perform duties required for a final cost of up to \$7,700; now, therefore, be it

RESOLVED, that a contract with JC Logistics, is authorized to identify errors in transportation billing with contracted transportation agencies, coordinate the transportation needs of the children in the preschool special education programs, and liaise between the contracted transportation agencies and families by coordinating transportation of their child to and from programming, with an hourly rate of services cost of \$55 per hour, with up to 10 hours per month for the months of September through May and also July, and up to 20 hours per month for the

months of June and August, with a total of up to 140 hours to perform duties required for a final cost of up to \$7,700; 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: September 11, 2024.

On motion of Mr. Beach, seconded by Mr. Haehl, Report and Resolution No. 289 sponsored by the Committee on Ways & Means amending the budget in connection with insurance recoveries was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 289

REPORT AND RESOLUTION AMENDING THE BUDGET IN CONNECTION WITH INSURANCE RECOVERIES

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 20, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that insurance proceeds have been received for the Sewer District, Office for the Aging, and the Highway Department; and

WHEREAS, Resolution No. 126 of 2024 appropriated funds from the Sewer District capital account to cover repairs to the roof from storm damage and part of that funding has been reimbursed, as well as funds from the Highway Department truck damage, and Office for the Aging van damage; and

WHEREAS, said letter further advises that it is necessary to amend the Herkimer County Budget for 2024; now, therefore, be it

RESOLVED, that the 2024 budget be amended as follows:

G2680, Sewer, Insurance Proceeds	From: \$0
	To: \$67,852
D5010.2680, Highway, Insurance Recoveries	From: \$0
	To: \$57,000
D5010.46000, Highway, Miscellaneous	From: \$1,200
	To: \$48,200

D5010.45000, Highway, Fees for Services	From: \$6,757
	To: \$16,757
A2680, General Fund, Insurance Recoveries	From: \$5,000
	To: \$17,347.04
A6772.46200, Aging, IIIB, Auto Expense	From: \$9,160
	To: \$21,507.04

and, be it further

RESOLVED, that the Treasurer is authorized to return the sewer funds to capital; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Keeler, seconded by Mr. Weakley, Report and Resolution No. 290 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract for the provision of legal services for the Herkimer County Office for the Aging was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 290

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR THE PROVISION OF LEGAL SERVICES FOR THE HERKIMER COUNTY OFFICE FOR THE AGING

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

WHEREAS, the Herkimer County Office for the Aging is required, under the Older Americans Act, to provide legal services to the elderly residents of the County of Herkimer (aged sixty and over), which services are 90% reimbursable under the IIIB funding stream; and

WHEREAS, by letter dated August 21, 2024, Kathy Fox, Director of the Office for the Aging, has advised this Legislature that the Legal Aid Society of Mid-New York has indicated a willingness to provide these services to the Office for the Aging at a fee of \$100.00 per hour; and

WHEREAS, your Committees have considered said matter and recommend a contract be entered into with the Legal Aid Society of Mid-New York to provide legal services to the Herkimer County Office for the Aging for the year 2024; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby authorizes a contract for the period of January 1, 2024 to December 31, 2024 between the Herkimer County Office for the Aging and the Legal Aid Society of Mid-New York for the purpose of providing legal services to the elderly residents of the County of Herkimer (aged sixty and over) at a fee of \$100.00 per hour, with said amount to be provided in Account A6772.44000 of the Herkimer County Budget at an amount of \$17,035 with a 10% local match reimbursed by Legal Aid;
2. That the Chairman of the Herkimer County Legislature is hereby authorized and empowered to execute said contract on behalf of the County of Herkimer;
3. That the Chairman of this Legislature is further authorized to enter into an annual renewal of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions;
4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Office for the Aging, and the Legal Aid Society of Mid-New York.

Dated: September 11, 2024.

On motion of Mr. Donley, seconded by Mr. Gaworecki, Report and Resolution No. 291 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contract with Fidelis Care New York for provision of home delivered meals and congregate meals was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 291

REPORT AND RESOLUTION AMENDING CONTRACT WITH FIDELIS CARE NEW YORK FOR PROVISION OF HOME DELIVERED MEALS AND CONGREGATE MEALS

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

WHEREAS, the New York Quality Healthcare Corporation, New York State Catholic Health Plan, Inc. offers a Medicaid Managed Long Term Care plan for people residing in New York through its wholly owned subsidiary called Fidelis Care; and

WHEREAS, by letter dated August 21, 2024, Kathy L. Fox, Director of the Office for Aging, has requested authorization to amend the contractual arrangement for Fidelis Care to increase the rate that Fidelis Care Reimburses for meals from \$9.00 per meal to \$10.00 per meal; and

WHEREAS, the service agreement will commence on the date of execution and will be for a one year period with automatic renewals for successive one year periods until the service agreement is terminated by either party; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to amend the contract between the Herkimer County Office for the Aging and Fidelis Care New York, for an increase in the rate Fidelis Care reimburses for meals from \$9.00 per meal to \$10.00 per meal; and, be it further

RESOLVED, the service agreement will commence on the date of execution and will be for a one year period with automatic renewals for successive one year periods until the service agreement is terminated by either party; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Swartz, seconded by Mr. Ackerman, Report and Resolution No. 292 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending the budget for the NY Connects Program in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 292

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR THE NY CONNECTS PROGRAM IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 21, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to accept additional funds, in the amount of

\$28,885 for the remainder of 2024 for the NY Connects program to provide information, assistance, and outreach; and

WHEREAS, letter further advises the program year is January 1, 2024 through December 31, 2024; and

WHEREAS, by letter dated August 22, 2024, the Budget Officer has advised that it is necessary to amend the 2024 Herkimer County Budget; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended in the amounts listed:

A6786A.4786, NY Connects, Federal Aid	From: \$279,522 To: \$308,407
A6786A.41000, NY Connects, Supplies	From: \$4,662 To: \$7,662
A6786A.46100, NY Connects, Mileage	From: \$118 To: \$2,118
A6786A.81000, NY Connects, Retirement	From: \$20,106 To: \$30,106
A6786A.86000, NY Connects, Health Insurance	From: \$43,044 To: \$56,929

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Weakley, seconded by Ms. Bennett, Report and Resolution No. 293 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending the budget for the WIN Program in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 293

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR THE WIN PROGRAM IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 21, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to accept additional funds, in the amount of \$19,435 for the remainder of 2024 for the WIN program to provide Home Delivered and Congregate Meals; and

WHEREAS, letter further advises the program year is January 1, 2024 through December 31, 2024; and

WHEREAS, by letter dated August 22, 2024, the Budget Officer has advised that it is necessary to amend the 2024 Herkimer County Budget; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended in the amounts listed:

A6776A.3776, Aging, SNAP, State Aid	From: \$274,982
	To: \$294,417

A6776A.46100, Aging, SNAP, Mileage	From: \$25,000
	To: \$35,000

A6776A.86000, Aging, SNAP, Health Insurance	From: \$16,423
	To: \$25,858

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Malta, seconded by Mr. Haehl, Report and Resolution No. 294 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending the budget for the Unmet Needs Program in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 294

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR THE UNMET NEEDS PROGRAM IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 21, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to accept additional funds, in the amount of \$51,600 for the remainder of 2024 for the Unmet Needs program to provide funding for Unmet Needs; and

WHEREAS, letter further advises the program year is January 1, 2024 through December 31, 2024; and

WHEREAS, by letter dated August 22, 2024, the Budget Officer has advised that it is necessary to amend the 2024 Herkimer County Budget; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended in the amounts listed:

A6786C.3786C, Unmet Needs, State Aid	From: \$128,688 To: \$180,288
A6786C.44000, Unmet Needs, Contracted	From: \$60,000 To: \$92,000
A6786C.46100, Unmet Needs, Mileage	From: \$4,000 To: \$12,000
A6786C.86000, Unmet Needs, Health Insurance	From: \$2,291 To: \$13,891

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Swartz, seconded by Mr. Brewer, Report and Resolution No. 295 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending the budget for the CSE Program in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 295

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR CSE PROGRAM IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 21, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to accept additional funds, in the amount of \$7,390 for the remainder of 2024 for the CSE program to provide Home Delivered and Congregate Meals; and

WHEREAS, letter further advises the program year is January 1, 2024 through December 31, 2024; and

WHEREAS, by letter dated August 22, 2024, the Budget Officer has advised that it is necessary to amend the 2024 Herkimer County Budget; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended in the amounts listed:

A6775.3775, CSE, State Aid	From: \$163,488
	To: \$170,878

A6775.44000, CSE, Contracted Services	From: \$94,000
	To: \$101,390

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Malta, seconded by Mr. Beach, Report and Resolution No. 296 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending the budget for Title IIIB Program in the Office for the Aging was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 296

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR TITLE IIIB PROGRAM IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 21, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to accept additional funds, in the amount of \$14,333.41 for the remainder of 2024 for the IIIB program to provide transportation, companion homemaker services, and Legal Aid; and

WHEREAS, letter further advises the program year is January 1, 2024 through December 31, 2024; and

WHEREAS, by letter dated August 22, 2024, the Budget Officer has advised that it is necessary to amend the 2024 Herkimer County Budget; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended in the amounts listed:

A6772.4772, IIIB, Federal Aid	From: \$90,000 To: \$104,333.41
A6772.44000, IIIB, Contracted Services	From: \$14,600 To: \$16,450.41
A6772.46100, IIIB, Mileage	From: \$5,900 To: \$6,900
A6772.46200, IIIB, Gas/Repairs	From: \$9,160 To: \$18,660
A6772.86000, IIIB, Health Insurance	From: \$78,210 To: \$80,193

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Beach, Report and Resolution No. 297 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending the budget for Title III-C Program in the Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 297

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET FOR TITLE III-C PROGRAM IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 21, 2024, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to accept additional funds, in the amount of \$4,392 for the remainder of 2024 for the III-C program to provide congregate meals; and

WHEREAS, letter further advises the program year is January 1, 2024 through December 31, 2024; and

WHEREAS, by letter dated August 22, 2024, the Budget Officer has advised that it is necessary to amend the 2024 Herkimer County Budget; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended in the amounts listed:

A6774.4774, IIIC-1, Federal Aid

From: \$44,608

To: \$49,000

A6774.10100, IIIC-1, Temp Employees

From: \$28,005

To: \$32,397

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 298 sponsored by the Committee on Ways & Means amending 2024 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 298

REPORT AND RESOLUTION AMENDING 2024 BUDGET

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 19, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, your committee is advised that the Herkimer County IDA receives monies from the Community Development Block Grants (CDBG), through the County, to provide a revolving loan fund that assists local businesses, with those businesses then making payments to the IDA that are mandated to be sent back to the State, with the County being the lead agency, the funds need to be sent through a General Fund account; and

WHEREAS, said letter further requests to amend the 2024 Budget to adjust for these payments for the remainder of the year; now, therefore, be it

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

Revenue Account:	A6420.4789C, IDA, Federal Aid, CDBG	From:	\$350,438.81
		To:	\$353,797.16
Expense Account:	A6420.40100, IDA, Other	From:	\$438.81
		To:	\$3,797.16

and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Ackerman, seconded by Mr. Swartz, Report and Resolution No. 299 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending the budget and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 299

REPORT AND RESOLUTION AMENDING THE BUDGET AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated August 18, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that adjustments will need to be made to the Public Defenders account to cover unanticipated expenses year to date and going forward to year end; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to make the following budget amendment and transfer the following sum from and to the following account in the 2024 budget:

Amendment to the 2024 Budget:

A1170.3031, Public Defender, Reimbursement	From: \$100,000
	To: \$220,000
A1170.45000-FC, Public Defender, Family Court	From: \$50,000
	To: \$170,000

Transfer:

\$180,000	From: A1990.46000, Contingent Fund, Miscellaneous Expense
	To: A1170.45000-FC, Public Defender, Family Court

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, and Keith D. Bowers, dba Enhanced Representation, Inc.

Dated: September 11, 2024.

On motion of Mr. Brewer, seconded by Mr. Donley, Report and Resolution No. 300 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending the budget in connection with funding for the Assigned Counsel Program was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 300

REPORT AND RESOLUTION AMENDING THE BUDGET IN CONNECTION WITH FUNDING FOR THE ASSIGNED COUNSEL PROGRAM

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

WHEREAS, by letter dated August 18, 2024, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that funding has been received from New York State Division of Criminal Justice Services for “Aid to Defense” which has been made available for the Assigned Counsel Program, in the amount of \$175,662; and

WHEREAS, said letter further advises that it is necessary to amend the Herkimer County Budget for 2024 in connection with the receipt of said funding to be used as outlined by the State; now, therefore, be it

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

Create:

A1170.3089S, Public Defender, ATD	\$175,662
A1170.44000-201, Public Defender, ATD	\$175,662

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, and Keith D. Bowers, dba Enhanced Representation, Inc.

Dated: September 11, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 301 sponsored by the Committee on Ways & Means authorizing payments for requests from American Rescue Plan funding was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 301

REPORT AND RESOLUTION AUTHORIZING 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, by letter dated August 26, 2024 from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, she has advised that communications have been received requesting funding and has been approved for payment by the Legislator receiving the request for payment as follows:

Creative Outpost Inc.	\$5,000	Ackerman
City of Little Falls	\$4,000	Ackerman
Little Falls Family and Youth Center (foodbank)	\$2,000	Ackerman

now, therefore, be it

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

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

Dated: September 11, 2024.

On motion of Mr. Keeler, seconded by Mr. Swartz, Report and Resolution No. 302 sponsored by the Committee on County Properties and the Committee on Ways & Means authorizing agreement for waste removal services was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 302

REPORT AND RESOLUTION AUTHORIZING AGREEMENT FOR WASTE REMOVAL SERVICES

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

WHEREAS, by letter dated August 22, 2024 from Sheri Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised of a request to approve an agreement with Waste Management of New York, LLC., for waste removal services for the Herkimer County Correctional Facility and the Herkimer County Office and Courts buildings; and

WHEREAS, the base rate for the County offices will be \$826 per month, and the Correctional Facility will be \$608 per month; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into an agreement with Waste Management of New York, LLC., 26 Patriot Place, Ste 300, Foxborough, MA 02035, for waste removal services for the Herkimer County Correctional Facility and the Herkimer County Office and Courts buildings, with the base rate for the County offices to be \$826 per month, and the Correctional Facility will be \$608 per month; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into renewals of said agreement, every 12 months, with an increase not to exceed 10%; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Gaworecki, seconded by Ms. Bennett, Report and Resolution No. 303 sponsored by the Committee on Human Resources and the Committee on Ways & Means renewing contract with Wellcare was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 303

REPORT AND RESOLUTION RENEWING CONTRACT WITH WELLCARE

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

WHEREAS, by letter dated August 21, 2024, from Christina Cain, Director of Community Services, this Legislature is advised of a request to renew an existing contract with Wellcare, to allow both the Public Health Department and the Mental Health Department onto the contract enabling it to support billing in both agencies, with the participating entity moving forward to be listed as “Herkimer County”, with the billing to be differentiated by NPI numbers for each department; and

WHEREAS, this will be for a term of three years from September 1, 2024 through August 31, 2027; now, therefore, be it

RESOLVED, that the above-described contract with Wellcare is approved, and that the Chairman of this Legislature is hereby authorized to execute said contract; 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 Public Health, Director of Community Services, and Wellcare.

Dated: September 11, 2024.

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 304 sponsored by the Committee on Ways & Means authorizing appropriation of funds was tabled by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 304

TABLED

REPORT AND RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated August 19, 2024, submitting a request for appropriation of funds for the replacement of the door for the entrance of the Employment & Training Office; and

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation be made as follows:

\$6,320.75 From: A889N, Reserve, Co. Building Improvements
To: H1620.40000, Buildings, Capital, Project 16-1

and, be it further

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

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

Dated: September 11, 2024.

On motion of Mr. Keeler, seconded by Mr. Malta, Report and Resolution No. 305 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing office space permit agreement with Herkimer BOCES at the Working Solutions Career Center was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 305

REPORT AND RESOLUTION AUTHORIZING OFFICE SPACE PERMIT AGREEMENT WITH HERKIMER BOCES AT THE WORKING SOLUTIONS CAREER CENTER

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

WHEREAS, by letter dated August 22, 2024, Nicole Wilson, Director of Employment and Training has advised of a request to enter into a new Office Space Permit Agreement with Herkimer BOCES on behalf of their Adult and Migrant Education Programs for the period of October 1, 2024 (or pending the relocation of the current tenants) to September 30, 2025 in the amount of \$22,000; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an Office Space Permit Agreement on behalf of the County of Herkimer to provide office space at the Working Solutions One Stop Center for use by Herkimer BOCES in the amount of \$22,000

for the time period of October 1, 2024 (or pending the relocation of the current tenants) to September 30, 2025, with terms and conditions 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 Employment and Training, and Herkimer BOCES.

Dated: September 11, 2024.

On motion of Mr. Haehl, seconded by Mr. Beach, Report and Resolution No. 306 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contract for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 306

REPORT AND RESOLUTION AMENDING CONTRACT 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, Resolution No. 262 of 2024 amended the contracts due to an increase in state aid; and

WHEREAS, by letter dated August 19, 2024, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend a contract due to an increase in state funding; and

WHEREAS, said contract shall be supported at the 100% State aid level; and

WHEREAS, by letter dated August 19, 2024 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 Budget; now, therefore, be it

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

1. Catholic Charities
61 West Street
Ilion, NY 13357

From \$789,216 to \$889,581

and, be it further

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

Revenue Account:	A4322.3490, Mental Health, State Aid	From:	\$2,283,238
		To:	\$2,383,603
Expense Account:	A4322.44000-352, Mental Health, Cont. Agy.	From:	\$2,283,238
		To:	\$2,383,603

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 agency.

Dated: September 11, 2024.

On motion of Mr. Swartz, seconded by Mr. Ackerman, Report and Resolution No. 307 sponsored by the Committee on Natural Resources and the Committee on Ways & Means authorizing participation in Petroleum Quality Program was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 307

REPORT AND RESOLUTION AUTHORIZING PARTICIPATION IN PETROLEUM QUALITY PROGRAM

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

WHEREAS, by letter dated August 20, 2024, Michael D. Talaba, Director of Weights and Measures, has requested a renewal of the contract with the New York State Department of Agriculture and Markets for continuation of the New York State Petroleum Product Quality Program for an additional five years; and

WHEREAS, the Director of Weights and Measures recommends continuation and renewal of said contract to ensure local petroleum quality and compliance with New York State petroleum standards; and

WHEREAS, participation in said program is at no additional cost to the County and is 100% state reimbursable; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the New York State Department of Agriculture and Markets for continuation of the New York State Petroleum Product Quality Program for an additional five year term through March 31, 2029, at a cost of \$24,750.00, with said contract to be 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 received 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, and Director of Weights and Measures.

Dated: September 11, 2024.

On motion of Mr. Brewer, seconded by Mr. Bick, Report and Resolution No. 308 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing Memorandum of Understanding between the Herkimer County Department of Social Services and the Herkimer County Office for the Aging for Home Energy Assistance Program services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 308

REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE HERKIMER COUNTY OFFICE FOR THE AGING FOR HOME ENERGY ASSISTANCE PROGRAM SERVICES

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

WHEREAS, your Committees have been informed by letter dated August 19, 2024 from Timothy Seymour, Commissioner of Social Services, that a proposed Memorandum of Understanding has been submitted to and accepted for the Herkimer County Office for the Aging to provide services to the Herkimer County Department of Social Services under the Home Energy Assistance Program (HEAP) for applicants 60 years and older for the 2024-2025 season; and

WHEREAS, the Herkimer County Department of Social Services agrees to pay the Herkimer County Office for the Aging 25% of the Department of Social Services HEAP

administrative allocation for the Home Energy Assistance Program for the 2024-2025 season;
and

WHEREAS, the Home Energy Assistance Program is 100% federally funded and there are sufficient monies budgeted for said services; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes a Memorandum of Understanding between the Herkimer County Department of Social Services and the Herkimer County Office for the Aging for the Office for the Aging to provide services for the Home Energy Assistance Program for applicants 60 years and older and the Herkimer County Department of Social Services will pay the Office for the Aging 25% of the Department of Social Services HEAP administrative funds for said services; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign said Memorandum of Understanding as an indication of the approval of the same by this Legislature; and, be it further

RESOLVED, that should any further additional funds be received for the 2024-2025 HEAP season, the Herkimer County Department of Social Services is hereby authorized to pass those funds on to the Office for the Aging on a pro-rated basis; and, be it further

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

Dated: September 11, 2024.

On motion of Ms. Bennett, seconded by Mr. Keeler, Report and Resolution No. 309 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing extension of contract with Catholic Charities of Herkimer County and the Department of Social Services for a Youth Violence Prevention Program for schools in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 309

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH CATHOLIC CHARITIES OF HERKIMER COUNTY AND THE DEPARTMENT OF SOCIAL SERVICES FOR A YOUTH VIOLENCE PREVENTION PROGRAM FOR SCHOOLS IN HERKIMER COUNTY

Sponsored by: Committee on Human Resources

Committee on Ways and Means

WHEREAS, by Resolution No. 147 for the year 2010, this Legislature authorized a contract between Catholic Charities of Herkimer County and the Herkimer County Department of Social Services for the provision of the TREATY Program (Teaching Reconciliation in Education to Administrators, Teachers and Youth) in an effort to help reduce the threat of bullying and youth violence in local schools; and

WHEREAS, said contract has been renewed each year, the most recent being by Resolution No. 281 of 2023; and

WHEREAS, by letter dated August 15, 2024 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into an extension of said contract with Catholic Charities of Herkimer County, to provide said TREATY Program for the 2024-2025 school year, at a total contract cost not to exceed \$65,035; now, therefore, be it

RESOLVED, that this Legislature hereby approves an extension of a contract with Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of the TREATY Program for the 2024-2025 school year to help control the threat of youth violence in schools, at a cost not to exceed \$65,035; and, be it further

RESOLVED, that under this contract, sufficient funds have been budgeted and all schools in Herkimer County will be invited to participate in said TREATY Program; and, be it further

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

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

Dated: September 11, 2024.

On motion of Mr. Schrader, seconded by Mr. Brezinski, Report and Resolution No. 310 sponsored by the Committee on Human Resources, the Committee on Administration/Veterans' Affairs, and the Committee on Ways & Means authorizing Memorandum of Understanding between the Herkimer County Mental Health Department and the Herkimer County Veterans' Service Agency and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 310

REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE HERKIMER COUNTY MENTAL HEALTH DEPARTMENT AND THE HERKIMER COUNTY VETERANS SERVICE AGENCY AND AMENDING BUDGET

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

WHEREAS, your Committees have been informed by letter dated August 12, 2024 from Kristen Snyder-Branner, Director of Community Services, that the New York State Office of Mental Health has awarded the Department \$100,000 for the PFC Joseph P. Dwyer Veteran Peer Support Program; and

WHEREAS, said letter further requests to enter into an MOU with the Herkimer County Veterans Service Agency, with services to be provided by the Herkimer County Veterans Service Agency for the term of July 1, 2024 through June 30, 2025; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes a Memorandum of Understanding between the Herkimer County Mental Health Department and the Herkimer County Veterans Service Agency for the Veterans Service Agency to provide services for the PFC Joseph P. Dwyer Veteran Peer Support Program; and

WHEREAS, by letter dated August 13, 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 to utilize the funding; now, therefore, be it

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

A6510B.2320B, VPSP, Other Income	\$100,000
A6510B.41000, VPSP, Supplies	\$25,000
A6510B.44000, VPSP, Contracted Services	\$75,000

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign said Memorandum of Understanding as an indication of the approval of the same by this Legislature; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 311 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing Memorandum of Understanding between the Herkimer County Sheriff Department and Fulton County was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 311

REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE HERKIMER COUNTY SHERIFF DEPARTMENT AND FULTON COUNTY

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

WHEREAS, your Committees have been informed by letter dated August 20, 2024 from Scott Scherer, Sheriff, of a request to enter into a Memorandum of Understanding with Fulton County for Police Mutual Aid; and

WHEREAS, this agreement will expire on June 30, 2028, with the terms of the agreement continuing until both legislative bodies have held their annual organizational meetings, at no monetary cost to the County; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes a Memorandum of Understanding between the Herkimer County Sheriff Department and Fulton County for Police Mutual Aid; and

RESOLVED, that this agreement has no monetary cost to the County and will expire on June 30, 2028; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign said Memorandum of Understanding as an indication of the approval of the same by this Legislature; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Malta, seconded by Mr. Donley, Resolution No. 312 sponsored by the Committee on Ways & Means approving standard work day and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 312

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)
Appointed Officials								
Social Services Attorney	7	Kyle W. Crandall	[REDACTED]	[REDACTED]		10/01/2021-09/30/2026	8.68	

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: September 11, 2024.

On motion of Mr. Donley, seconded by Mr. Ackerman, Report and Resolution No. 313 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing the County of Herkimer to enter into an agreement with Mohawk Valley EDGE for Brownfield Cleanup Subgrant disbursement agreement, creating account, and amending the budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 313

REPORT AND RESOLUTION AUTHORIZING THE COUNTY OF HERKIMER TO ENTER INTO AN AGREEMENT WITH MOHAWK VALLEY EDGE FOR BROWNFIELDS CLEANUP SUBGRANT DISBURSEMENT AGREEMENT, CREATING ACCOUNT, AND AMENDING THE BUDGET

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

WHEREAS, by letter dated September 4, 2024, John J. Piseck, Jr., Chief Executive Officer of the Herkimer County Industrial Development Agency has requested that the Herkimer County Legislature consider authorizing a grant in the amount of \$100,000 between Herkimer County and Mohawk Valley EDGE for the remediation of environmental contamination at 4360 Acme Road, Frankfort, New York known as the former “CHIPS” site; and

WHEREAS, as set forth in the above letter, the County will be reimbursed 100% of the cleanup cost and the grant funds will be administered by the Herkimer County Industrial Development Agency [hereafter “IDA”]; and

WHEREAS, the County of Herkimer and the New York State Environmental Protection and Spill Compensation Fund, Office of the New York State Comptroller, have entered into an Agreement Regarding Tax Foreclosure Sale (hereafter “Agreement”), dated April 3, 2024 concerning Tax Parcels Nos. 119.27-1-13 and 119.27-1-14, with said Agreement setting forth specific responsibilities of the County in reference to initial site preparatory obligations prior to remedial action and cleanup by NYS Department of Environmental Conservation; and

WHEREAS, Mohawk Valley EDGE applied for and accepted from the United States Environmental Protection Agency [hereafter “EPA”] an EPA Brownfield Revolving Loan Fund Grant that allows EDGE to make subgrants to local government for eligible projects; and

WHEREAS, the County of Herkimer applied to the EDGE requesting that Revolving Loan Funds be awarded to Herkimer County by EDGE in the form of a subgrant pursuant to Resolution No. 250 of 2023; and

WHEREAS, the Brownfields Cleanup Revolving Grant Fund Grant No. BF-96238700 requires that the County undertake and complete the brownfield project, with the County to receive Subgrant Funds on a reimbursement basis from EDGE through reimbursement for eligible expenses incurred and paid for by the County; and

WHEREAS, by communication dated September 4, 2024 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that in order to include the new funding, an amendment to the 2024 Budget and the creation of a revenue account will be necessary; now, therefore, be it

RESOLVED, that a revenue account is created and the 2024 Budget be amended as follows:

A6420.2706, IDA, Grants from Local Gov'ts (create)	From: \$0
	To: \$100,000
A6420.40000, IDA, Contractual	From: \$250,000
	To: \$350,000

and, be it further

RESOLVED, that the County of Herkimer accept the Subgrant in an amount not to exceed \$100,000 through the aforesaid program; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be authorized to execute the Brownfields Cleanup Revolving Grant Fund Number BF-96238700 Subgrant Disbursement Agreement, together with any Subgrant Funds Requisition forms and to submit any required supporting documentation required for reimbursement; and, be it further

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

Dated: September 11, 2024.

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 314 sponsored by the Committee on County Properties and the Committee on Ways & Means concerning change order on contract for renovations at the Court Street building and transferring funds was handed up; voted on and adopted by voice vote:

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



HERKIMER COUNTY LEGISLATURE

No. 314

REPORT AND RESOLUTION CONCERNING CHANGE ORDER ON CONTRACT FOR RENOVATIONS AT THE COURT STREET BUILDING AND TRANSFERRING FUNDS

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

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

WHEREAS, your Committees have been informed by letter dated September 10, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, that the County has been notified of a change order presented by Meid Construction, to include the replacement of all wood framed windows as well as the decorative round and rectangular pieces and basement units, in the amount of \$72,388.25, and option 1 of exterior paint work not to exceed \$38,320.00, for a total of \$110,708.25; and

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

WHEREAS, the Budget Officer further advises that a transfer of funds is necessary to complete the project; now, therefore, be it

RESOLVED, that the Treasurer be authorized to make the following transfer:

Transfer:

\$110,708.25	From: A4089, Federal Aid, ARPA
	To: H4097, Fed Aid, Capital Project, Project 16-4
\$110,708.25	From: A1989A.46000, ARPA, Miscellaneous
	To: H1620.40000, Buildings, Contractual, Project 16-4

and, be it further

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

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

Dated: September 11, 2024.

On motion of Mr. Bick, seconded by Mr. Brewer, Report and Resolution No. 315 sponsored by the Committee on Ways & Means amending Resolution No. 183 of 2024 and appropriating additional funds was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Hollum, Conover (2).



HERKIMER COUNTY LEGISLATURE

No. 315

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 183 OF 2024 AND APPROPRIATING ADDITIONAL FUNDS

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 183 awarded a bid for the purchase of eight (8) Chevy Traverse AWD vehicles from Steet Ponte Chevrolet, 3036 State Route 28, Herkimer, NY, \$36,012.50 each, for a total of \$288,100;

WHEREAS, by letter dated September 11, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent has requested that due to access of the vehicles, the bid be awarded to Steet Ponte Nissan, 4967 Commercial Drive, New Hartford, NY 13413, for eight (8) 2024 Nissan Pathfinder AWD vehicles, \$38,505 each, for a total of \$308,040; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of eight (8) 2024 Nissan Pathfinder AWD vehicles from Steet Ponte Nissan at a cost of \$38,505 each, for a total of \$308,040; and, be it further

RESOLVED, that an appropriation of additional funds be made as follows:

\$19,940	From: A909, Fund Balance
	To: A2960.23000, Ed. of Handicapped Children, Motor Vehicle

and, be it further

RESOLVED, that in all other respects, Resolution No. 183 of 2024 shall remain in full force and effect; and, be it further

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

Dated: September 11, 2024.

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

At 7:21 p.m. on motion of Mr. Malta, seconded by Mr. Weakley, the Legislature adjourned to Wednesday, October 2, 2024 at 2:00 p.m.

Brittney R. Viscomi, Clerk