

HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, February 12, 2025

7:00 p.m.

PLEDGE OF ALLEGIANCE

Moment of Silence in Recognition of All Veterans, Past and Present

ROLL CALL

Communications:

50	Joseph P. Annese – Submitting resignation from position as board member of the Sewer District	FILE
51	NYS Dept. of State – Advising of Filing of Local Law No. 1 for 2025	FILE
52	Director of Community Services – Submitting appointment to Community Services Board	HUMAN RES.
53	County Attorney – Requesting authorizing for Chairman to sign a letter that there is no objection to Herkimer College being designated as lead agency for SEQRA	EDUCATION
54	Budget Officer/Purchasing Agent – Requesting discussion on architects in connection with 108 Court Street remodel	CO. PROPERTIES
55	County Attorney – Requesting discussion of a proposed settlement in connection with Erie Blvd Hydropower	WAYS & MEANS
56	Director of Community Services – Submitting 2024 Annual Report	HUMAN RES.
57	Personnel Officer – Submitting 2024 Annual Report for the Stand Alone Workers Compensation self-insurance coverage	WAYS & MEANS
58	Personnel Officer – Submitting 2024 Annual Report for the former Herkimer County Self-Insured Workers' Compensation Plan	WAYS & MEANS
59	Dir. of Real Property Tax Services – Submitting 2024 Annual Report	WAYS & MEANS
60	Budget Officer/Purchasing Agent – Requesting transfers in 2024 budget	WAYS & MEANS
61	Personnel Officer – Submitting 2024 Annual Report	WAYS & MEANS
62	Highway Superintendent – Requesting amendment to Resolution No. 402 of 2024	WAYS & MEANS
63	County Treasurer – Requesting to open new bank account	WAYS & MEANS
64	Commissioner of Social Services – Requesting contract with the Neighborhood Center for Suicide Coalition Coordinator	HUMAN RES. WAYS & MEANS
65	Director of Public Health – Requesting to establish group rates in connection with Preschool Special Education Related Services	HUMAN RES. WAYS & MEANS

HERKIMER COUNTY LEGISLATURE MEETING

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7:00 p.m.

66	Budget Officer/Purchasing Agent – Requesting budget amendment in DSS	WAYS & MEANS
67	Sewer District – Submitting resolution for annual field use leases	NAT. RESOURCES WAYS & MEANS
68	Budget Officer/Purchasing Agent – Requesting an appropriation of funds in the Sewer District for repairs to the raw sewage pump	NAT. RESOURCES WAYS & MEANS
69	Highway Superintendent – Requesting approval of 2025 capital construction projects	HIGHWAYS
70	Budget Officer/Purchasing Agent – Requesting to rescind Resolution No. 292 of 2023 and return funds to fund balance	CO. PLNG. & DEV. WAYS & MEANS
71	Commissioner of Social Services – Requesting agreement with Toshiba for printer maintenance	WAYS & MEANS
72	Budget Officer/Purchasing Agent – Requesting appropriation	WAYS & MEANS
73	Commissioner of Social Services – Requesting contract for counseling services	HUMAN RES. WAYS & MEANS
74	County Attorney – Requesting Third Modification Agreement with Herkimer Solar LLC	CO. PROPERTIES WAYS & MEANS
75	Dir. of Real Property Tax Services – Submitting request for tax roll correction	WAYS & MEANS

Consent Agenda:

44	HUMAN RES.: Adopting Annual Report of Herkimer County Mental Health Svcs.	VOICE
45	WAYS & MEANS: Adopting Annual Report of Stand Alone Workers' Comp. Plan	VOICE
46	WAYS & MEANS: Adopting Annual Report of Former Self-Insurance Plan	VOICE
47	WAYS & MEANS: Adopting Annual Report of fees received by the Personnel Office	VOICE
48	WAYS & MEANS: Approving Annual Report of the Real Property Tax Service Agency	VOICE
49	WAYS & MEANS: Determining officers and employees of Herkimer County required to file financial disclosure forms	VOICE
50	WAYS & MEANS: Authorizing transfers of funds in 2024 budget	VOICE
51	WAYS & MEANS: Amending Res. No. 402 of 2024	VOICE
52	HIGHWAYS: Authorizing the designation of the County Highway Superintendent as the Responsible Local Official for the Equitable Business Opportunities System	VOICE

Regular Agenda:

Reports and Resolutions:

53	WAYS & MEANS: Authorizing appropriation of funds	ROLL CALL
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HERKIMER COUNTY LEGISLATURE MEETING

Wednesday, February 12, 2025

7:00 p.m.

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|----|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 54 | CO. PLNG. & DEV., WAYS & MEANS: Rescinding Resolution No. 292 of 2023 authorizing note and mortgage and appropriating funds in connection with the IDA | VOICE |
| 55 | HIGHWAYS: Approving projects under Article 6, Section 116 of the Highway Law | VOICE |
| 56 | NAT. RESOURCES, WAYS & MEANS: Authorizing use of surplus grounds of the Herkimer County Sewer District by local sports organizations | VOICE |
| 57 | NAT. RESOURCES, WAYS & MEANS: Approving Sewer District Resolution for repairs to the raw sewage pump and appropriating funds | ROLL CALL |
| 58 | HUMAN RES., WAYS & MEANS: Establishing rates for Preschool Special Education Related Services in Public Health | VOICE |
| 59 | WAYS & MEANS: Approving opening a bank account | VOICE |
| 60 | HUMAN RES., WAYS & MEANS: Authorizing contract with the Neighborhood Center in DSS | VOICE |
| 61 | WAYS & MEANS: Amending budget in DSS | VOICE |
| 62 | WAYS & MEANS: Awarding contract to Toshiba Business Solutions in DSS | VOICE |
| 63 | HUMAN RES., WAYS & MEANS: Authorizing contract with Viewpoint Clinical Therapy Services, PLLC in DSS | VOICE |
| 64 | CO. PROPERTIES, WAYS & MEANS: Approving Third Modified Agreement between Herkimer County with Herkimer Solar, LLC for the purchase of solar energy credits | VOICE |
| 65 | ADMIN./VETS. AFFAIRS: Requesting legislation authorizing the extension of the additional sales and compensating use tax | VOICE |
| 66 | ADMIN./VETS. AFFAIRS, WAYS & MEANS: Requesting authority to extend the imposition of a mortgage recording tax | VOICE |
| 67 | WAYS & MEANS: Correcting Tax Roll in the Town of Herkimer | VOICE |
| 68 | IN MEMORIAM: Claudine F. Grande | VOICE |

Adjourn to Wednesday, March 12, 2025

at 7:00 p.m.



HERKIMER COUNTY LEGISLATURE

No. 44

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

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the 2024 Annual Report of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2024 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2024.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 45

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2024, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2024 be adopted and filed with the Herkimer County Legislature.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 46

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2024, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Former Herkimer County Self-Insurance Plan for the year 2024 be adopted and filed with the Herkimer County Legislature.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 47

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

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2024, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2024 be approved and placed on file with the Herkimer County Legislature.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 48

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF THE REAL PROPERTY TAX SERVICE AGENCY

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of the Real Property Tax Service Agency submitting the 2024 Annual Report of the Herkimer County Real Property Tax Service Agency, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2024 Annual Report of the Herkimer County Real Property Tax Service Agency hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2024.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 49

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

Sponsored by: Committee on Ways and Means

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

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

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

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

Dated: February 12, 2025.

2025
Schedule A

Legislators (16)
Chairman (1)
County Administrator
Clerk of the Legislature
Deputy Clerk of the Legislature
District Attorney
Assistant District Attorney (5)
Coroners (4)
County Auditor
Deputy County Auditor
County Treasurer
Deputy County Treasurer
County Property Agent
Budget Officer & Purchasing Agent
Deputy Purchasing Agent
Real Property Tax Service Director
County Clerk/Records Management Officer
Deputy County Clerk
Deputy County Clerk of the DMV
County Attorney
Assistant County Attorney (2)
Law Clerk
Personnel Officer/Safety Coordinator
Sheriff
Undersheriff
Chief Deputy (2)
Principal Account Clerk
Lieutenant (2)
Board of Elections Commissioner (2)
Deputy Board of Elections Commissioner (2)
Information Services Director
Information Services Deputy Director
STOP-DWI Coordinator
Director of Probation
Director of Public Health
Director of Health Services
Supervising Community Health Nurse (2)
Supervisor of Children's Programs
Director of Community Services
Administrative Officer, Mental Health
Commissioner of Social Services
DSS Attorney (3)
DSS Law Clerk
Director of Social Services
Special Assistant to Commissioner/Personnel Staff Developer
Director of Administrative Services (DSS)
Head Social Welfare Examiner
Managed Care Coordinator
WMS Coordinator

Child Support Enforcement Coordinator
Integrated County Planner
Social Services Employment Coordinator
Veterans Service Agency Director
Director of Weights and Measures
Director of Office for the Aging
Assistant Director of Office for the Aging
Employment and Training Director II
Executive Director of the Youth Bureau
County Building Maintenance Foreperson
Chief Plant Operator – Sewer District
Sewer Board Chairman
Sewer Board Commissioners (4)
County Highway Superintendent
Deputy Highway Superintendent
Highway Maintenance Supervisor
Assistant Highway Maintenance Supervisor
Highway Senior Civil Engineer
Principal Civil Engineer
Director of Emergency Services
Deputy Director of Emergency Services
Supervising Public Safety Telecommunicator
IDA CEO
IDA CFO

COMMITTEES, BOARDS AND COUNCILS:

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

HERKIMER COUNTY COMMUNITY COLLEGE:

President
Trustee (9)
Officer in Charge/Senior Vice-President for
Administration and Finance
Dean of Students/Director of Athletics
Provost
Controller
Director of Library Services
Dean of Academic Affairs (4)
Purchasing Agent
Director of Campus Safety
Director of Media & Communications
Director of Public Relations
Assistant Director of Facilities (2)
Director of Information Technology



HERKIMER COUNTY LEGISLATURE

No. 50

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/Purchasing Agent, dated January 24, 2025, submitting requests for transfers of funds in the 2024 budget, 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 in the 2024 Budget:

\$4,747.02	From: A1010B.44000, Community Development, Contracted Services To: A1010B.10000-001, Community Development, Salaries
\$499.21	From: A1010B.44000, Community Development, Contracted Services To: A1010B.83000, Community Development, Social Security
\$3,861.41	From: A1430.10000-001, Personnel, Salaries To: A1430.45000-645, Personnel, Information Services
\$427.16	From: A1420.10000-001, County Attorney, Salaries To: A1420.44000, County Attorney, Contracted Services
\$29,847.97	From: A3021.44000-455, Public Safety, Miscellaneous Contractual To: A3021.10000-002, Public Safety, Overtime
\$56,000	From: A3110.10000-001, Sheriff, Salaries To: A3112.10000-001, SPO/SRO, Salaries
\$46,000	From: A3110.10100-021, Sheriff, Perm PT To: A3112.10000-001, SPO/SRO, Salaries
\$37,663	From: A1165.10000-001, DA, Salaries To: A3112.10000-001, SRO/SPO, Salaries
\$1,357	From: A1165.10000-001, DA, Salaries To: A3112.83000, SRO/SPO, Social Security
\$194,315	From: A6010.10000-001, DSS Admin, Salaries To: A3150.10000-001, Jail, Salaries
\$48,189	From: A1410.10000-001, County Clerk, Salaries To: A3150.44000, Jail, Contracted Services
\$536	From: A6510.10000-001, Veterans, Salaries To: A6510.44000, Veterans, Contracted Services
\$869	From: A7310.10000-001, Youth Bureau, Salaries To: A7310.44000, Youth Bureau, Contracted Services

\$1,706	From: A7310.10000-001, Youth Bureau, Salaries To: A8732.46000, Black River, Miscellaneous Expense
\$684.07	From: A6775.46100, Aging, CSE, Mileage To: A6776.461000, Aging CII, Mileage
\$1,441.91	From: A6775.46100, Aging, CSE, Mileage To: A6776A.46100, SNAP, Mileage
\$792.47	From: A6775.46100, Aging CSE, Mileage To: A6786C.46100, Unmet Needs, Mileage
\$267.54	From: A6775.46100, Aging, CSE, Mileage To: A6777.46100, HEAP, Mileage
\$3,300	From: A6014.10000-001, Child Support, Salaries To: A6014.10000-002, Child Support, Overtime
\$3,377	From: A6010A.10000-001, WMS, Salaries To: A6010A.83000, WMS, Social Security
\$18,878	From: A1362.46000, Tax Advertising, Miscellaneous To: A1185.10000-001, Coroners, Salaries
\$2,952	From: A1362.46000, Tax Advertising, Miscellaneous To: A1185.83000, Coroners, Social Security
\$2,246	From: A1362.46000, Tax Advertising, Miscellaneous To: A1989A.46000, ARPA, Miscellaneous

and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 51

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 402 OF 2024 AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2025

Sponsored by: Committee on Ways and Means

WHEREAS, on December 11, 2024 this Legislature adopted Resolution No. 402 authorizing payment of dues for municipal officers and employees during the year 2025; and

WHEREAS, by communication dated January 9, 2025, from Mark A. Nagele, County Highway Superintendent, request is made to increase the annual membership fee for the New York State County Highway Superintendent Association Dues from \$350 to \$550; now, therefore, be it

RESOLVED, that Resolution No. 402 adopted on December 11, 2024, be amended under Highway Superintendent, to increase the annual membership for the New York State County Highway Superintendent Association Dues from \$350 to \$550; and, be it further

RESOLVED, that in all other respects Resolution No. 402 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, and Highway Superintendent.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 52

RESOLUTION AUTHORIZING THE DESIGNATION OF THE COUNTY HIGHWAY SUPERINTENDENT AS THE RESPONSIBLE LOCAL OFFICIAL FOR THE EQUITABLE BUSINESS OPPORTUNITIES SYSTEM

Sponsored by: Committee on Highways

WHEREAS, the County Highway Superintendent has requested authorization to be the Responsible Local Official (RLO) for access to and use of the Internet Government Solutions (IGS) Equitable Business Opportunities (EBO) system; now, therefore, be it

RESOLVED, that the County of Herkimer names Mark Nagele, County Highway Superintendent, as the Responsible Local Official for access to and use of the Internet Government Solutions Equitable Business Opportunities system as outlined in the System User Agreement; and be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the County Highway Superintendent.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 53

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 January 24, 2025, submitting a request for an appropriation of funds to the computer system reserve to ensure there is funding available for future projects; 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:

\$300,000	From: A909, Fund Balance
	To: A878, Computer System Reserve

and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 54

RESOLUTION RESCINDING RESOLUTION NO. 292 OF 2023 AUTHORIZING NOTE AND MORTGAGE AND APPROPRIATING FUNDS IN CONNECTION WITH THE INDUSTRIAL DEVELOPMENT AGENCY

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

WHEREAS, Resolution No. 292 of 2023 was adopted on September 13, 2023, which authorized a note and mortgage for the purpose of purchasing land in the Town of German Flatts by the Herkimer County IDA; and

WHEREAS, by letter dated January 24, 2025 from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that John J. Piseck, Chief Executive Officer of the Herkimer County IDA, has advised this is no longer a viable project, and she has requested Resolution No. 292 of 2023 be rescinded; and

WHEREAS, said letter further requests that the \$585,000 appropriated in Resolution No. 292 of 2023 be returned to Fund Balance; now, therefore, be it

RESOLVED, that Resolution No. 292 of 2023 is hereby rescinded and that the Herkimer County Treasurer is authorized to reverse any transactions associated with the previous resolution; and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 55

REPORT AND RESOLUTION APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred letters from Mark Nagele, County Superintendent of Highways, dated January 21, 2025, submitting three copies each of statement under Article 6 of the Highway Law designating work to be done with CHIPS monies during the year 2025, covering two projects involved in the Capital Construction Program, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption, and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designates work to be done with CHIPS monies be, and hereby are, approved by the County Legislature of the County of Herkimer for the following projects involved in the Capital Construction Program, to be funded as listed:

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
443	Safety Flag Repairs to BIN 337800 Newport Road Repair of LC 151-10 South Side Road Repair of LC 322-20 Watkins Road Repair of LC 153-20 & LC 150-30 Gulf Road	Bridge & Large Culvert Repairs	\$550,000
444	Resurfacing of Hinckley Road & South Side Road CR 151 T/Russia	Rehabilitation	\$2,500,000

and, be it further

RESOLVED, that these projects will be funded through CHIPS; and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 56

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

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

WHEREAS, by letter dated January 17, 2025, Robin Nalaskowski, Secretary to the Sewer District Board, has requested consideration and approval of Herkimer County Sewer District Resolution HCSD-2025-04 adopted by the Sewer District Board on January 15, 2025; and

WHEREAS, the Herkimer County Sewer District, by said Resolution HCSD-2025-04, authorizes use of its surplus grounds by the Central Valley Little League, or any of their successor organizations pursuant to an annual written lease agreement to be signed by the Herkimer County Sewer District Board Chairman, or in his absence, the Vice-Chair; and

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

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

RESOLVED, that the Herkimer County Legislature approves Sewer District Resolution HCSD-2025-04 of January 15, 2025 authorizing a written lease agreement with the above designated organization, or any of their successor organizations; and, be it further

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

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 57

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION FOR REPAIRS TO THE RAW SEWAGE PUMP AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated January 17, 2025, the Sewer District has advised that Resolution HCSD 2025-01 was adopted on January 15, 2025, awarding a contract for repairs to the raw sewage pump to Koester Associates, Inc., the Push Pull option, for a total price of \$60,250.00; and

WHEREAS, by letter dated January 24, 2025 from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that an appropriation of funds is necessary and that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that Sewer District Resolution HCSD 2025-01 is approved to award a contract for repairs to the raw sewage pump to Koester Associates, Inc., the Push Pull option, for a total price of \$60,250; and, be it further

RESOLVED, that an appropriation of funds within the 2025 budget be made as follows:

\$60,250	From: G909, Sewer, Fund Balance
	To: H8130.40000, Sewer, Capital, Project 72-2

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, Herkimer County Sewer District, and Koester Associates, Inc.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 58

REPORT AND RESOLUTION ESTABLISHING RATES FOR PRESCHOOL SPECIAL EDUCATION RELATED SERVICES IN PUBLIC HEALTH

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

WHEREAS, by letter dated January 13, 2025, Christina Cain, Director of Public Health, has requested to set rates for Preschool Special Education Related Services that have not yet been established; and

WHEREAS, these rates are required to be set and approved by NYSDOH in order to facilitate programmatic reimbursement; and

WHEREAS, said letter further states these rates being approved does not mean that the service will be utilized, it only means that if Public Health is required to provide the service in accordance with the child's IEP, they are ensured the ability to request reimbursement; now, therefore, be it

RESOLVED, that the rates on the attachment are hereby established for Public Health to request reimbursement for Preschool Special Education Related Services; and, be it further

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

Dated: February 12, 2025.

COUNTY LIST OF APPROVED RATES FOR PRESCHOOL RELATED SERVICES

County Name: **HERKIMER** School Year: **2024-25**

Service	Maximum Individual Rate Per Half Hour	Maximum Group Rate Per Half Hour	Maximum Coordinator Rate Per Half Hour	Providers contracted with during the school year listed above.
AIDE - 1:1 RELATED SERVICES	\$ 10.00	\$ 10.00	\$ 30.00	KELBERMAN CENTER
ASSISTIVE TECHNOLOGY SERVICES	\$ 50.00	\$ 50.00	\$ 30.00	R. Mark Hillon Speech Pathology Services
AUDIOLOGY	\$ 55.00	\$ 55.00	\$ 30.00	Communicate to Connect
COORDINATION	\$ 50.00	\$ 50.00	\$ 30.00	LAURA ALLEN
COUNSELING SERVICES	\$ 45.00	\$ 45.00	\$ 30.00	
SCHOOL HEALTH SERVICES/NURSE	\$ 25.00	\$ 25.00	\$ 30.00	
INTERPRETER	\$ 50.00	\$ 50.00	\$ 30.00	
MUSIC THERAPY	\$ 55.00	\$ 55.00	\$ 30.00	
ORIENTATION AND MOBILITY	\$ 55.00	\$ 55.00	\$ 30.00	
OCCUPATIONAL THERAPY	\$ 50.00	\$ 50.00	\$ 30.00	
OCCUPATIONAL THERAPY ASSISTANT	\$ 50.00	\$ 50.00	\$ 30.00	
PLAY THERAPY	\$ 50.00	\$ 50.00	\$ 30.00	
PARENT COUNSELING AND TRAINING	\$ 55.00	\$ 55.00	\$ 30.00	
PSYCHOLOGICAL SERVICES	\$ 55.00	\$ 55.00	\$ 30.00	
PHYSICAL THERAPY	\$ 55.00	\$ 55.00	\$ 30.00	
PHYSICAL THERAPY ASSISTANT	\$ 55.00	\$ 55.00	\$ 30.00	
SCHOOL SOCIAL WORK	\$ 65.00	\$ 65.00	\$ 30.00	
SPEECH THERAPY	\$ 50.00	\$ 50.00	\$ 30.00	
TEACHER OF HEARING IMPAIRED	\$ 50.00	\$ 50.00	\$ 30.00	
TEACHER OF VISUALLY IMPAIRED	\$ 50.00	\$ 50.00	\$ 30.00	

I, as representative of this county, duly certify that all providers contracted with are appropriately certified and/or licensed and are providing services in accordance with the student's Individualized Education Program.

Public Health Director

Signature _____ Title _____ Date _____



HERKIMER COUNTY LEGISLATURE

No. 59

REPORT AND RESOLUTION APPROVING OPENING A BANK ACCOUNT

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated January 15, 2025, Kimberlee A. Enea, County Treasurer, has requested to open a new bank account to support the Sheriff's Administration Building project, pursuant to Resolution No. 447 of 2024; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer is authorized to open a new bank account to support the Sheriff's Administration Building project; and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 60

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE NEIGHBORHOOD CENTER IN DSS

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

WHEREAS, by letter dated February 12, 2024 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into a contract with The Neighborhood Center, 624 Elizabeth Street, Utica, NY 13501, for the position of a Suicide Coordinator, in the amount of \$7,000, for the period of January 1, 2025 through December 31, 2025; and

WHEREAS, letter further advises that this contract is for ten hours per month, and this individual will facilitate quarterly meetings of the Herkimer County Suicide Coalition, provide suicide prevention presentations as needed in the community, and coordinate the Herkimer County Team for the annual Out of Darkness Walk; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with The Neighborhood Center, for the position of a Suicide Coordinator, in the amount of \$7,000, for the period of January 1, 2025 through December 31, 2025; 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 The Neighborhood Center.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 61

REPORT AND RESOLUTION AMENDING BUDGET IN THE DEPARTMENT OF SOCIAL SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 24, 2025 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2025 Budget to accept ARPA funding from the Office of Children and Family Services; now, therefore, be it

RESOLVED, that the 2025 Herkimer County Budget is hereby amended as follows:

A6010B.4689B, Adult Protective, Federal Aid	From: \$0
	To: \$5,979
A6010B.41000, Adult Protective, Supplies	From: \$0
	To: \$5,979

and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 62

REPORT AND RESOLUTION AWARDING CONTRACT TO TOSHIBA BUSINESS SOLUTIONS IN DSS

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 24, 2025, Timothy Seymour, Commissioner of Social Services, has requested to enter into a contract with Toshiba Business Solutions to incorporate all printing costs (for stand-alone printers) in the Department of Social Services for 31 printers, including consumables and maintenance; and

WHEREAS, the contract with Toshiba Business Solutions will be for a period of 36 consecutive months, with the cost to be calculated by paying \$0.018 for black and white prints and \$0.13 for color prints, with a monthly flat fee for each black and white printer of \$17.00 and a flat fee for color printers of \$45.00; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes a contract with Toshiba Business Solutions, 6800 Old Collamer Rd., Suite 5, East Syracuse, New York 13057, to incorporate all printing costs (for stand-alone printers), including consumables and maintenance for a period of 36 months, with the cost to be calculated by paying \$0.018 for black and white prints and \$0.13 for color prints, with a monthly flat fee for each black and white printer of \$17.00 and a flat fee for color printers of \$45.00; and, be it further

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

RESOLVED, that 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 Information Services, Toshiba Business Solutions, and Commissioner of Social Services.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 63

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH VIEWPOINT CLINICAL THERAPY SERVICES, PLLC IN DSS

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

WHEREAS, by letter dated January 23, 2025 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into a contract with Viewpoint Clinical Therapy Services, PLLC, 502 Court Street, Utica, NY 13502, for the provision of child, family, and individual counseling services; and

WHEREAS, letter further advises that this contract will be for the term of March 1, 2025 through December 31, 2025, with the cost as follows:

Initial Assessment/Diagnostic	\$150
In-Home sessions (travel costs included)	\$150
16-35 Minute Session	\$50
36-48 Minute Session	\$75
49-65 Minute Session	\$100
Collaborative Meeting (30-59 minutes)	\$50
Collaborative Meeting (60-120 minutes)	\$100

now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with Viewpoint Clinical Therapy Services, PLLC, for the provision of child, family, and individual counseling services, at the rates listed above, for the period of March 1, 2025 through December 31, 2025; and, be it further

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

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 64

REPORT AND RESOLUTION APPROVING THIRD MODIFIED AGREEMENT BETWEEN HERKIMER COUNTY 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 to purchase solar energy credits through Herkimer Solar, LLC, 190 High St., 3rd Floor, Boston, MA 02110; and

WHEREAS, Herkimer County entered into a VDER Value Stack Credit Sales Agreement [hereinafter "Agreement"] with Herkimer Solar, LLC on October 20, 2020 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 of October 20, 2020 to provide for a 16% fixed discount rate for the initial term, and further, the Estimated Commercial Operations Date was amended to December 31, 2024; and

WHEREAS, pursuant to the terms of the First Modification agreement and a Second Modified Agreement, all other terms, provisions, covenants, and conditions of the October 20, 2020 Agreement remained in full force and effect unmodified; and

WHEREAS, Herkimer Solar, LLC has provided a proposed Third Modification Agreement to Herkimer County that would extend the estimated commercial operations date to December 31, 2025 with all prior provisions of the October 20, 2020 agreement remaining in full force and effect unchanged; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign the Third Modification Agreement; and, be it further

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 65

RESOLUTION REQUESTING LEGISLATION AUTHORIZING THE EXTENSION OF THE ADDITIONAL SALES AND COMPENSATING USE TAX

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

WHEREAS, the Legislature of the State of New York adopted and the Governor signed into law as Chapter 260 of the Laws of 2023, authorizing the County of Herkimer to extend the imposition of an additional One and One Quarter Percent (1 $\frac{1}{4}$ %) sales and compensating use tax for the period beginning December 1, 2023 and ending November 30, 2025; and

WHEREAS, in order for this additional sales and compensating use tax to be extended, new legislation by the Legislature of the State of New York shall be required; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby requests its Assemblymen and Senators to introduce into the New York State Legislature bills, which would seek a two year extension and amendment of the statutory authorization for Herkimer County to impose an additional 1 $\frac{1}{4}$ % sales and compensating use tax, with the new period to commence December 1, 2025, and with the additional $\frac{1}{4}$ % to be dedicated to the costs of the construction and financing of a new correctional facility; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, and Senator Joseph A. Griffo.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 66

RESOLUTION REQUESTING AUTHORITY TO EXTEND THE IMPOSITION OF A MORTGAGE RECORDING TAX

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

WHEREAS, Local Law No. 3 for the year 2005 imposed a mortgage recording tax within the County of Herkimer, pursuant to Section 253-i of the Tax Law, Chapter 549 of the Laws of 2005, as amended by Chapter 474 of the Laws of 2006; and

WHEREAS, Local Law No. 8 for the year 2023 extended the mortgage recording tax to December 1, 2025, pursuant to Section 253-u of the Tax Law, Chapter 332 of the laws of 2023; and

WHEREAS, the County of Herkimer is faced with continuing fiscal pressure in the foreseeable future, and wishes to minimize the burden on local property taxpayers; and

WHEREAS, because of said requirements and others, this County Legislature finds it necessary to request an extension of the county mortgage recording tax; now, therefore, be it

RESOLVED, that this Legislature hereby requests that the Assemblymen and State Senators elected to represent Herkimer County in the New York State Legislature, cause to be introduced in the Assembly and in the Senate, bills to allow Herkimer County to extend, by local law or resolution, a mortgage recording tax in the amount of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is secured by a mortgage on real property situated within the County, with such tax to mirror the state mortgage recording tax, except that the deposit of all revenue received pursuant to such tax, after deducting administration expenses, shall be into the general fund of Herkimer County, with the revenue from such mortgage recording tax to be used for any county purpose, and that the New York State Tax Law and whatever other sections of law are necessary to fulfill this purpose be amended; and, be it further

RESOLVED, that our said representatives in the State Legislature make every effort to secure prompt passage of said legislation to the end that Herkimer County may receive the benefits of said legislation at the earliest date possible; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, and Senator Joseph A. Griffo.

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 67

REPORT AND RESOLUTION CORRECTING TAX ROLL IN THE TOWN OF HERKIMER

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated January 30, 2025 from Beth Sadlon, Director of Real Property Tax Services, this Legislature is informed that an error was made on the 2025 Town and County Tax Roll on the property listed below in that the residence and all outbuildings were completely destroyed by a fire and are a total loss; and

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

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

RESOLVED:

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

Town: Herkimer
Tax Map No. 113.1-1-41

Owner: Frazier, Margaret
Address: 415 McKennan Road
Herkimer, NY 13350

Amount Billed: \$6,135.94

Corrected Tax: \$1,405.19

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

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

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

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

Dated: February 12, 2025.



HERKIMER COUNTY LEGISLATURE

No. 68

IN MEMORIAM

- WHEREAS,** *Claudine F. Grande departed this life on January 25, 2025; and*
- WHEREAS,** *Claudine F. Grande was an outstanding citizen, and she had a profound devotion to her family and was steadfast in that devotion; and*
- WHEREAS,** *Claudine F. Grande served with distinction as a member of the Herkimer County Legislature, representing District 1 from the end of 1992 through 2007; she served on many committees and was the Chairwoman of the Human Resources Committee from 2004 through 2005; and*
- WHEREAS,** *Claudine F. Grande was very active in her church, and received the Catholic Charities 2012 Window of Hope Award; and*
- WHEREAS,** *The County of Herkimer and its residents have sustained a great loss with the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED,** *That the County Legislature does hereby express its deepest regrets at the decease of Claudine F. Grande, and hope that this expression of remembrance may in some manner help console her family in their bereavement; and, be it further*
- RESOLVED,** *That a copy of this Resolution be sent to the family of Claudine F. Grande, and that an additional copy be spread upon the minutes of this meeting.*

Dated: February 12, 2025.