

MINUTES
Herkimer County Legislature
Third Quarter – Third Day
Wednesday, September 16, 2026
7:00 p.m.

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

Chairman Campione called on Legislator Donald Haehl to lead the Legislature in the Pledge of Allegiance.

Chairman Campione called for a moment of silence in recognition of all veterans, past and present.

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

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

Absent: Wedemeyer, Brezinski (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Campione asked if there were any objections or corrections to the minutes of August 12, 2026. There were none, and the Chairman ordered them approved.

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

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. Mr. Schrader requested Communication No. 312 be read.

No. 308 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 309 – A communication was received from Hodgson Russ LLP submitting PILOT agreement. Filed.

No. 310 – A communication was received from Hodgson Russ LLP submitting PILOT agreement. Filed.

No. 311 – A communication was received from Office of Temporary and Disability Assistance acknowledging receipt and filing of reappointment of Timothy Seymour as Commissioner of Social Services. Filed.

No. 312 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 313 – A communication was received from Capital District OTB submitting monthly reports for March & April 2026. Filed.

No. 314 – A communication was received from Timothy M. Day submitting resignation from IDA Board. Filed.

No. 315 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 316 – A communication was received from the Personnel Officer requesting approval for free flu shots and/or reimbursement to county employees for flu shots administered by the Herkimer County Public Health Department. Referred to the Committee on Ways & Means.

No. 317 – A communication was received from the Personnel Officer requesting contract with Risk Strategies Consulting Services. Referred to the Committee on Ways & Means.

No. 318 – A communication was received from the Sheriff submitting June 2026 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 319 – A communication was received from the Sheriff submitting July 2026 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 320 – A communication was received from the County Administrator requesting approval of proposal in connection with Broadband project. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 321 – A communication was received from the County Attorney requesting discussion for property on Higby Road. Referred to the Committee on County Properties.

No. 322 – A communication was received from the County Attorney requesting discussion for property in the Town of Schuyler. Referred to the Committee on County Properties.

No. 323 – A communication was received from the Budget Officer/Purchasing Agent requesting approval for Geotechnical Investigation. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 324 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to Res. No. 373 and Res. No. 374 of 2025. Referred to the Committee on Ways & Means.

No. 325 – A communication was received from the Director of Emergency Services requesting amendment to Res. No. 374 of 2025. Referred to the Committee on Ways & Means.

No. 326 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation and amendment to budget in connection with pass-through JUUL funding. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 327 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of project in connection with large equipment purchases. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 328 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. II and No. III in the Auditor's Department. Referred to the Committee on Ways & Means.

No. 329 – A communication was received from the Highway Superintendent requesting approval of 2026-2027 capital construction project. Referred to the Committee on Highways.

No. 330 – A communication was received from the Budget Officer/Purchasing Agent requesting upgrade to elevator fire alarm at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 331 – A communication was received from the County Treasurer requesting advance of funds to the County Road Fund. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 332 – A communication was received from the Director of Probation requesting renewal of Alternatives to Incarceration Contract. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 333 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal and appropriation of funds in connection with Highway office roof. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 334 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal, creation of project and appropriation of funds for electrical upgrades at Highway Garage. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 335 – A communication was received from the Director of Community Services requesting amendment to Resolution No. 400 of 2025. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 336 – A communication was received from the Director of Community Services requesting renewal of contract with Doctor to perform Assisted Outpatient Treatment. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 337 – 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. 338 – A communication was received from the Personnel Officer requesting to amend Salary Schedule No. III in the Real Property Department. Referred to the Committee on Ways & Means.

No. 339 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Childhood Lead Poisoning Prevention Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 340 – A communication was received from the Commissioner of Social Services requesting acceptance of funding and authorization of contract with Catholic Charities. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 341 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for increase in state aid in Mental Health. Referred to the Committee on Ways & Means.

No. 342 – A communication was received from the STOP-DWI Coordinator requesting approval of 2027 STOP-DWI Plan. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 343 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and budget amendment in OFA. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 344 – A communication was received from the Assistant County Attorney requesting authorization for application to NYS Comptroller in connection with Sewer District improvement project. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 345 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. II in the Treasurer's Department. Referred to the Committee on Ways & Means.

No. 346 – A communication was received from the Director of Emergency Services requesting approval to upgrade 911 Center and the buildout of a backup 911 Center. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 347 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds for the purchase of two console units for backup 911 Center. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 348 – A communication was received from the County Treasurer requesting amendment to agreement with consulting firm. Referred to the Committee on Ways & Means.

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

On motion of Mr. Donley, seconded by Mrs. Wares, Resolution No. 241 – Resolution No. 244 were handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).

Consent Agenda:

- 241 ADMIN./VETS., WAYS & MEANS: Setting Public Hearing for Introductory Local Law B
- 242 PUB. SFTY./EMER. MGMT., WAYS & MEANS: Approving 2027 STOP-DWI Plan
- 243 WAYS & MEANS: Amending Resolution No. 374 of 2025
- 244 WAYS & MEANS: Amending Resolution No. 373 and No. 374 of 2025



HERKIMER COUNTY LEGISLATURE

No. 241

RESOLUTION SETTING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW B FOR 2026

Sponsored by: Committee on Administration/Veterans' Affairs

Committee on Ways & Means

We, the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means are causing to be prepared and will present Introductory Local Law B for 2026 entitled "A LOCAL LAW ESTABLISHING AN OCCUPANCY TAX IN THE COUNTY OF HERKIMER", and offer the following Resolution:

RESOLVED, that a Public Hearing will be held before the Herkimer County Legislature on the adoption of said proposed Local Law, to be conducted by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means on the 7th day of October, 2026 at 1:15 p.m., in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York; and, be it further

RESOLVED, that at least five days prior to such public hearing the Clerk of this Legislature shall post a notice of such hearing upon the bulletin board in the Courthouse and cause to be published said notice at least once in the Times Telegram; and, be it further

RESOLVED, that the Clerk of this Legislature shall place a copy of said act on the desks of the members of this County Legislature at least seven calendar days, exclusive of Sunday, prior to its final adoption; and, be it further

RESOLVED, that if said local law be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one in the Office of the Secretary of State and publish said local law as required by law.

Dated: September 16, 2026.



HERKIMER COUNTY LEGISLATURE

No. 242

REPORT AND RESOLUTION APPROVING 2027 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 25, 2026, John Lynch, STOP-DWI Coordinator, has submitted the STOP-DWI Plan for the year 2027 for approval by this Legislature; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby approves the STOP-DWI Plan for 2027;
2. That the funds accrued in the year 2026 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 16, 2026.



HERKIMER COUNTY LEGISLATURE

No. 243

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 374 OF 2025 AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2026

Sponsored by: Committee on Ways and Means

WHEREAS, on December 10, 2025 this Legislature adopted Resolution No. 374 authorizing attendance at conferences for municipal officers and employees during the year 2026; and

WHEREAS, by communication dated August 18, 2026, from Albert J. Moxham, Jr., Director of Emergency Services, request is made to add the Grants Management Workshop for attendance by appropriate Office of Emergency Services personnel; now, therefore, be it

RESOLVED, that Resolution No. 374 adopted on December 10, 2025, be amended under Emergency Services Director to add the Grants Management Workshop for attendance by appropriate Office of Emergency Services personnel; and, be it further

RESOLVED, that in all other respects Resolution No. 374 of 2025 shall remain in full force and effect; and, be it further

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

Dated: September 16, 2026.



HERKIMER COUNTY LEGISLATURE

No. 244

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 373 AND NO. 374 OF 2025 AUTHORIZING PAYMENT OF DUES AND ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2026

Sponsored by: Committee on Ways and Means

WHEREAS, on December 10, 2025 this Legislature adopted Resolution No. 373 authorizing payment of dues for municipal officers and employees during the year 2026 and Resolution No. 374 authorizing attendance at conferences during the year 2026; and

WHEREAS, by communication dated August 24, 2026, from Sheri Ferdula, Budget Officer/Purchasing Agent, request is made to add a membership to the Government Financial Officers Association (GFOA), with a membership fee of \$1,000; and

WHEREAS, said letter further requests to approve trainings ranging from basic to advanced, with a budget not to exceed \$5,000 annually, with all registrations approved in advance by the County Administrator; now, therefore, be it

RESOLVED, that Resolution No. 373 adopted on December 10, 2025, be amended under Budget Officer, to add a membership to the Government Financial Officers Association (GFOA), with a fee of \$1,000; and, be it further

RESOLVED, that Resolution No. 374 adopted on December 10, 2025, be amended under Budget Officer, to add trainings through Government Financial Officers Association (GFOA), not to exceed \$5,000 annually, with all registrations approved in advance by the County Administrator; and, be it further

RESOLVED, that in all other respects Resolution No. 373 and Resolution No. 374 of 2025 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, and Budget Officer.

Dated: September 16, 2026.

The Chairman continued with the Regular Agenda.

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 245 sponsored by the Committee on Ways & Means amending Salary Schedule No. II and No. III in the Audit Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 245

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II AND NO. III IN THE AUDIT DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 11, 2026, Holly Catalina, County Auditor, has requested to amend Salary Schedule No. II and No. III in the Audit Department; and

WHEREAS, by letter dated September 3, 2026 from Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. II should be amended to increase the base pay stipend for the Deputy County Auditor title to \$5,000 per year; and

WHEREAS, Salary Schedule No. III should be amended to delete the title of Senior Account Clerk in Account A1320 and adding a position of Principal Account Clerk in Account A1320 at a 2026 base pay rate of \$42,156; now, therefore, be it

RESOLVED, that Salary Schedule No. II be amended to increase the base pay stipend for the Deputy County Auditor title to \$5,000 per year; and, be it further

RESOLVED, that Salary Schedule No. III be amended to delete the title of Senior Account Clerk in Account A1320 and adding a position of Principal Account Clerk in Account A1320 at a 2026 base pay rate of \$42,156; and, be it further

RESOLVED, that the above described changes will take effect September 21, 2026; and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Schrader, seconded by Mr. Ackerman, Report and Resolution No. 246 sponsored by the Committee on Ways & Means amending Salary Schedule No. II in the Treasurer's Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 246

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II IN THE TREASURER'S DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 31, 2026 from Kimberlee Enea, County Treasurer, she has requested an amendment to Salary Schedule No. II; and

WHEREAS, by letter dated September 1, 2026, Steven R. Billings, Personnel Officer, your Committee has been advised that Salary Schedule No. II should be amended to increase the base pay rate for the title of Accountant in Account A1325 from \$61,969 to \$75,000; and

WHEREAS, said letter further requests authorization for the Chairman of the Legislature to sign a benefits agreement with a perspective employee; now, therefore, be it

RESOLVED, that Salary Schedule No. II be amended to increase the base pay rate for the title of Accountant in Account A1325 from \$61,969 to \$75,000 and authorization is given for the Chairman of the Legislature to sign a benefits agreement with a perspective employee; and, be it further

RESOLVED, this will be effective September 21, 2026; and, be it further

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

Dated: September 16, 2026.

On motion of Ms. Bennett, seconded by Mrs. Wares, Report and Resolution No. 247 sponsored by the Committee on Education and the Committee on Ways & Means approving upgrades to the fire alarm and transferring funds for Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 247

REPORT AND RESOLUTION APPROVING UPGRADES TO THE FIRE ALARM AND TRANSFERRING FUNDS FOR HERKIMER COUNTY COMMUNITY COLLEGE

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

WHEREAS, by letter dated August 24, 2026, Sheri Ferdula, Budget Officer/Purchasing Agent is advised that Herkimer County Community College is requesting approval for an upgrade to the elevator fire alarm under the PE Improvement capital project, in the amount of \$16,036; and

WHEREAS, said letter further requests a transfer of funds; now, therefore, be it

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

\$16,036.00 From: H2499000 544000, Parking Lot, Contracted Services
 To: H2498000 544000, PE Roof, Contracted Services

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, President of Herkimer County Community College, and Chief of Staff and Director of Operations at Herkimer County Community College.

Dated: September 16, 2026.

On motion of Mr. Malta, seconded by Mr. Ackerman, Report and Resolution No. 248 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: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 248

**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 24, 2026, Nicole Myers, 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, 2026 to September 30, 2027 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, 2026 to September 30, 2027, 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 16, 2026.

On motion of Mr. Schrader, seconded by Mr. Brewer, Report and Resolution No. 249 sponsored by the Committee on Ways & Means amending budget in the Mental Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 249

**REPORT AND RESOLUTION AMENDING BUDGET IN THE MENTAL HEALTH
DEPARTMENT**

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 25, 2026 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2026 Budget to reflect an increase in State Aid; now, therefore, be it

RESOLVED, that the 2026 Herkimer County Budget is hereby amended as follows:

A4320000 434900, Mental Health, State Aid	From: \$426,346
	To: \$888,544
A4320000 544000, Mental Health, Contracted Svcs.	From: \$35,835
	To: \$498,033
A4320000 434901, MH, State Aid Contracts	From: \$223,595
	To: \$226,793

and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Lucenti, seconded by Mr. Donley, Report and Resolution No. 250 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contracts for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 250

REPORT AND RESOLUTION AMENDING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, Resolution No. 400 of 2025 authorized contracts for Herkimer County Mental Health Services; and

WHEREAS, by letter dated August 21, 2026 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of requests to amend contracts due to increases in state funding; and

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

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

1. Center for Family Life and Recovery
502 Court St., Suite 401
Utica, NY 13502
From \$237,225 to \$244,309
2. Upstate Cerebral Palsy Association
125 Business Park Drive
Utica, NY 13502
From \$723,938 to \$760,525
3. Catholic Charities
61 West Street
Ilion, NY 13357
From \$1,181,621 to \$1,205,028

and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Schrader, seconded by Mr. Lucenti, Report and Resolution No. 251 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract for Assisted Outpatient Treatment Evaluations for Herkimer County Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 251

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR ASSISTED OUTPATIENT TREATMENT EVALUATIONS FOR HERKIMER COUNTY MENTAL HEALTH

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

WHEREAS, by letter dated August 18, 2026 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to enter into a contract with Lawrence Farago, MD, PO Box 357, New Hartford, NY 13413, for the purposes of performing Assisted Outpatient Treatment (AOT) Evaluations for the County, at a cost of \$175 per hour; and

WHEREAS, said letter further advises that the Director of Community Services is mandated to investigate AOT referrals within the County and needs a doctor to perform the evaluations and testify in court as needed; now, therefore, be it

RESOLVED, that authorization is given to execute a contract with Lawrence Farago, MD, for the purposes of performing Assisted Outpatient Treatment (AOT) Evaluations for the County, at a cost of \$175 per hour; and, be it further

RESOLVED, that said agreement shall be subject to the approval of the Herkimer County Attorney; and, be it further

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

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

Dated: September 16, 2026.

On motion of Mr. Donley, seconded by Mr. Swartz, Report and Resolution No. 252 sponsored by the Committee on Ways & Means amending Salary Schedule No. III in Real Property was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 252

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN REAL PROPERTY

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 21, 2026, Beth L. Sadlon, Director of Real Property Tax Services, has requested to amend Salary Schedule III; and

WHEREAS, by letter dated August 21, 2026, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to delete a position of Senior Assessor in Account A1355 and create one position of Assessor in Account A1355 at an annual base salary of \$50,698 per year; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to add a position of Assessor A1355 at an annual base salary of \$50,698 per year and delete the position of Senior Assessor; and, be it further

RESOLVED, this will be effective September 21, 2026; 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 Real Property Tax Service.

Dated: September 16, 2026.

On motion of Mr. Lucenti, seconded by Mr. Bick, Report and Resolution No. 253 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant and authorizing contract in Department of Social Services for Non-Residential Domestic Violence Program was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 253

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

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

WHEREAS, by letter dated August 24, 2026 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised of the award of an additional \$25,000 to expand/enhance the domestic violence services for claims incurred from October 1, 2026 through September 30, 2027, and further requests a contract be entered into with Catholic Charities of Herkimer County to provide these services; now, therefore, be it

RESOLVED, that this Legislature accepts the additional funding from the New York State Office of Children and Family Services and authorizes an agreement between Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of Non-Residential Domestic Violence Services, for the period beginning October 1, 2026 to September 30, 2027, in the amount of \$25,000; and, be it further

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

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

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

Dated: September 16, 2026.

On motion of Mr. Keeler, seconded by Mr. Bick, Report and Resolution No. 254 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract for funding of Childhood Lead Poisoning Prevention Screening Services Grant and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 254

**REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR FUNDING
OF CHILDHOOD LEAD POISONING PREVENTION SCREENING SERVICES GRANT AND
AMENDING BUDGET**

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

WHEREAS, by Resolution No. 228 for the year 1990, this Legislature authorized a contract with the New York State Department of Health to provide grant funding for the Childhood Lead Poisoning

Prevention Program screening services and to increase public knowledge about lead poisoning and its prevention, which contract has been continued for each year thereafter; and

WHEREAS, by letter dated August 13, 2026, from Christina Cain, Director of Public Health, your Committees have been advised of a request to renew said agreement with the New York State Department of Health for the term commencing October 1, 2026 and ending September 30, 2031, with funding for year one in the amount of \$38,000.00; and

WHEREAS, by letter dated August 24, 2026, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to create a project and amend the 2026 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for year one in the total amount of \$38,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document in the amount of \$38,000.00 for year one with the New York State Department of Health to continue the Childhood Lead Poisoning Prevention Program in the County of Herkimer for the period October 1, 2026 to September 30, 2031, unless terminated in accordance with the terms thereof; and, be it further

RESOLVED, that the 2026 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4014000 444890, Lead Prev., Federal Aid, Proj: LD1	\$38,000
Expense Account:	A4014000 510000 Lead Prev., Salaries Proj: LD1	\$17,000
	A4014000 541000, Lead Prev., Supplies Proj: LD1	\$2,095
	A4014000 542100, Lead Prev., Phone Proj: LD1	\$275
	A4014000 541910, Lead Prev., Insurance Proj: LD1	\$1,000
	A4014000 544000, Lead Prev., Contracted Proj: LD1	\$7,180
	A4014000 546100, Lead Prev., Mileage Proj: LD1	\$300
	A4014000 546300, Lead Prev., Postage Proj: LD1	\$150
	A4014000 581000, Lead Prev., Retirement Proj: LD1	\$5,000
	A4014000.86000, Lead Prev., Health Ins. Proj: LD1	\$5,000

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 the New York State Department of Health.

Dated: September 16, 2026.

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 255 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing pass through funding, amending budget, and appropriating funds in the Public Health Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

**REPORT AND RESOLUTION AUTHORIZING PASS THROUGH FUNDING,
AMENDING BUDGET, AND APPROPRIATING FUNDS IN THE PUBLIC HEALTH
DEPARTMENT**

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

WHEREAS, by letter dated August 13, 2026 from Christina Cain, Director of Public Health, request is made to pass through JUUL settlement funding through an agreement with Herkimer-Fulton-Hamilton-Otsego BOCES to support youth vaping prevention; to date, the County has received \$169,061.25, with the total amount of expected funding in the amount of \$338,122.50; and

WHEREAS, said letter further requests that the amount of \$169,061.25 be transferred to BOCES pending County Attorney approval of the contract, and the remaining funds of \$169,061.25 be available for transfer once received by the County; and

WHEREAS, by letter dated August 24, 2026 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2026 Budget and appropriate funds to complete the transaction; 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:

Appropriate:

\$126,795.94

From: A0000001 A288915, JUUL Reserve

To: A4020000 544000, JUUL, Contracted Services

Amend:

A4020000 427360, JUUL Settlement

From: \$0

To: \$42,265.31

A4020000 544000, JUUL Contracted Services

From: \$126,795.94

To: \$169,061.25

and, be it further

RESOLVED, that authorization is given for the Chairman to execute a Memorandum of Agreement with BOCES to make a payment of \$169,061.25 in pass-through JUUL settlement funds; and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Donley, seconded by Mr. Malta, Report and Resolution No. 256 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing renewal of Alternatives to Incarceration contracts was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 256

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF ALTERNATIVES TO INCARCERATION CONTRACTS

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

WHEREAS, by communication dated July 29, 2026, Michael Scalise, Director of Probation, advises that the State of New York Division of Criminal Justice Services has approved an extension to the Alternatives to Incarceration Plan and awards for the Pre-trial Release Program and the Community Service Program in the amount of \$12,733 for the period July 1, 2026 through June 30, 2027; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute and e-sign the annual contracts for the Pre-Trial Release Program and Community Service Program for the period of July 1, 2026 through June 30, 2027; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Probation, and the New York State Division of Criminal Justice Services.

Dated: September 16, 2026.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 257 sponsored by the Committee on Highways and the Committee on Ways & Means accepting proposal, creating project, and appropriating funds at Highway Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 257

REPORT AND RESOLUTION APPROVING PROPOSAL, CREATING PROJECT, AND APPROPRIATING FUNDS AT HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated August 25, 2026, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a proposal has been received from Nelson Associates, 1 North Park Row, Clinton, NY 13323 to provide professional services for electrical upgrades at the Highway Department garage, including New York State Building Permit application in the amount of \$24,488.00; and

WHEREAS, said letter further advises that the creation of a project and an appropriation in the 2026 Budget will be necessary to execute the contract and that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation be made as follows:

\$24,488 From: A0000000 300909, Fund Balance
To: H1620000 544000, Project 16-9

and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Swartz, seconded by Mr. Malta, Report and Resolution No. 258 sponsored by the Committee on Highways approving project under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 258

REPORT AND RESOLUTION APPROVING PROJECT 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 August 25, 2026, submitting three copies each of statement under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2026/2027, covering one project 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 County Road Fund monies be, and hereby are, approved by the County Legislature of the County of Herkimer for the following project involved in the Capital Construction Program, to be funded as listed:

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
455	Snells Bush Rd CR 23 Rehabilitation	Topographic survey, wetland delineation, engineering & design,	\$300,000.00

		ROW, title searches etc.	
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and, be it further

RESOLVED, that this project will be funded by CHIPS monies; 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: September 16, 2026.

On motion of Mr. Weakley, seconded by Mr. Donley, Report and Resolution No. 259 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing advance of funds to the County Road Fund was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 259

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

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

WHEREAS, by letter dated August 19, 2026, Kimberlee Enea, Herkimer County Treasurer, has advised that New York State has changed the procedure by which they process reimbursement for the CHIPS, Pave-NY and Extreme Winter Recovery (EWR) projects back to the County Highway Department, and further requests advance of funds as needed from the General Fund to the County Road Fund, with General Fund reimbursement being made as funds are received from New York State; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized to advance up to \$4,500,000 as needed, from A0000001 100001, General Fund to D0000000 100000, County Road Fund; and, be it further

RESOLVED, that any funds advanced shall be repaid to the General Fund before accounts are closed for the fiscal year; and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Swartz, seconded by Mr. Gaworecki, Report and Resolution No. 260 sponsored by the Committee on Highways and the Committee on Ways & Means approving proposal and appropriating funds at Highway Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 260

REPORT AND RESOLUTION APPROVING PROPOSAL AND APPROPRIATING FUNDS AT HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated August 25, 2026, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that a proposal has been received for a limited hazardous materials pre-renovation survey for the Highway office roof replacement, from Arctic Enterprises, Inc., 7010 Fly Road, Suite 1, East Syracuse, NY 13057 in the amount of \$5,400.00; and

WHEREAS, said letter further advises that an appropriation in the 2026 Budget will be necessary to execute the contract and that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation be made as follows:

\$5,400	From: A0000000 300909, Fund Balance
	To: H1620000 544000 Project 16-8

and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 261 sponsored by the Committee on Highways and the Committee on Ways & Means approving purchase for large equipment in Highway Department, creating project, and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 261

REPORT AND RESOLUTION APPROVING PURCHASE FOR LARGE EQUIPMENT IN HIGHWAY DEPARTMENT, CREATING PROJECT, AND AMENDING BUDGET

Sponsored by: Committee on Highways

Committee on Ways and Means

WHEREAS, by letter dated August 7, 2026, Mark Nagele, County Highway Superintendent, has requested approval for purchase of large equipment for the Highway Department, with CHIPS funds being used to pay for the purchase; and

WHEREAS, the purchase will consist of a 2026 Etnyre Trailer, at a cost of \$113,338.00, with the purchase to be made through Sourcewell and a 2028 Freightliner Model 114SD fuel truck at a cost of \$362,547.71 with the purchase to be made through Onondaga Contract #0010914; and

WHEREAS, by letter dated August 25, 2026 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to create a project and amend the Herkimer County Budget for 2026; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the purchase of a 2026 Etnyre Trailer at a cost of \$113,338.00 and a 2028 Freightliner Model 114SD fuel truck at a cost of \$362,547.71; and, be it further

RESOLVED, that a project be created and the 2026 Budget be amended as follows:

Amend:

H0000001 450310, Interfund Revenue, Project 807

From: \$0

To: \$475,885.71

H5197000 525000, Hwy Equip & Cap Outlay

From: \$0

Other Equipment, Project 807

To: \$475,885.71

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: September 16, 2026.

On motion of Mr. Lucenti, seconded by Ms. Bennett, Report and Resolution No. 262 sponsored by the Committee on Human Resources and the Committee on Ways & Means creating accounts and amending budget in Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 262

REPORT AND RESOLUTION CREATING ACCOUNTS AND AMENDING BUDGET IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated August 25, 2026 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to create accounts and amend the 2026 Budget to

move a donation account into the financial system; now, therefore, be it

RESOLVED, that the accounts are created and the 2026 Herkimer County Budget is hereby amended as follows:

A6789000 412890, Donations, Other Dept Income	\$25,682.25
A6789000 541000, Donations, Supplies	\$25,682.25

and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Donley, seconded by Mr. Brewer, Report and Resolution No. 263 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the utilization of grant funding for upgrades to 911 Center and to provide a fully functional backup 911 Center in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 263

REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING FOR UPGRADES TO 911 CENTER AND TO PROVIDE A FULLY FUNCTIONAL BACKUP 911 CENTER IN EMERGENCY SERVICES

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

WHEREAS, by letter dated August 25, 2026, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to upgrade the existing 911 Center to support Next Generation 911 and provide a fully functional backup 911 Center, by utilizing NG911 and ESInet Grant funding; and

WHEREAS, letter further advises the purchase will be made through JPJ Electronics, in the amount of \$1,923,202.09; now, therefore, be it

RESOLVED, that this Legislature approves the request for an upgrade to the existing 911 Center to support Next Generation 911 and provide a fully functional backup 911 Center, by utilizing NG911 and ESInet Grant funding, through JPJ Electronics, in the amount of \$1,923,202.09; 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 16, 2026.

On motion of Mr. Gaworecki, seconded by Mrs. Wares, Report and Resolution No. 264 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving purchase at the Herkimer County 911 Center and appropriate funds was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 264

REPORT AND RESOLUTION APPROVING PURCHASE AT THE HERKIMER COUNTY 911 CENTER AND APPROPRIATE FUNDS

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

WHEREAS, by letter dated August 25, 2026, from Albert J. Moxham, Jr., Director of Emergency Services, this Legislature is advised of a request to purchase two consoles for the Herkimer County 911 Backup Center, through NYS Contract PT68710, at a cost of \$55,000; and

WHEREAS, by letter dated August 25, 2026, the Herkimer County Budget Officer has advised that the purchase will be made from BearCom, 221 North Greenbush Road, Troy, NY 12180, and that an appropriation of funds will be necessary; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the purchase of two consoles for the Herkimer County 911 Backup Center, through BearCom, at a cost of \$55,000; and, be it further

RESOLVED, that an appropriation within the 2026 Budget be made as follows:

\$55,000	From: A0000000 300909, Fund Balance
	To: A3021000 525000, Public Safety, Other Equipment

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 BearCom.

Dated: September 16, 2026.

On motion of Mr. Schrader, seconded by Mr. Donley, Report and Resolution No. 265 sponsored by the Committee on Ways & Means amending contract in the Treasurer's Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 265

REPORT AND RESOLUTION AMENDING CONTRACT IN THE TREASURER'S DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, on March 6, 2026, the Ways & Means Committee approved a contract with a consulting firm, The Answer Consulting and Bookkeeping LLC, 6 Beech St., Cooperstown, NY 13326 at an hourly rate of \$100, up to a total of \$12,000 after the completion and acceptance of the Annual Financial Report by the NYS Office of the State Comptroller; and

WHEREAS, Resolution No. 163 of 2026 extended the agreement for an additional 150 hours at \$100 per hour; and

WHEREAS, by letter dated August 26, 2026 from Kimberlee A. Enea, County Treasurer, she has requested an amendment to the agreement with the consulting firm, for necessary assistance with financial operations and accounting in the Treasurer's Department, at a monthly rate of \$4,500 in addition to the hourly rate; now, therefore, be it

RESOLVED, that this Legislature approves the above described agreement with The Answer Consulting and Bookkeeping LLC, for necessary assistance with financial operations and accounting in the Treasurer's Department, at a monthly rate of \$4,500 in addition to the hourly rate, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: September 16, 2026.

On motion of Mr. Gaworecki, seconded by Mr. Haehl, Resolution No. 266 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving application for permission of the New York State Comptroller regarding the proposed upgrades and improvements to the Herkimer County Sewer District's Wastewater Treatment Plant Facilities was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 266

RESOLUTION APPROVING APPLICATION FOR PERMISSION OF THE NEW YORK STATE COMPTROLLER REGARDING THE PROPOSED UPGRADES AND IMPROVEMENTS TO THE HERKIMER COUNTY SEWER DISTRICT'S WASTEWATER TREATMENT PLANT FACILITIES

Sponsored by: Committee on Natural Resources

Committee on Ways and Means

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of Herkimer County, New York (the "County Legislature") established a county sewer district designated and known as Herkimer County Sewer District (the "District"); and

WHEREAS, the sewer facilities serving properties in the District are in need of improvement, as described in the report prepared by Hazen and Sawyer, DPC, prepared and on file in accordance with County Law Section 268; and

WHEREAS, by resolution adopted July 8, 2026, the County Legislature determined that it is in the public interest of the people of the County of Herkimer residing within the boundaries of the District to undertake improvements to the District sewer facilities including, among other things, improvements to the District's Wastewater Treatment Plant and Frankfort Pump Station to extend useful life and meet future anticipated State Pollution Discharge Elimination System (SPDES) Permit discharge limits, replacement of existing equipment and electrical systems, upgrades to influent pumps, screening equipment, grit removal equipment, clarifier equipment, aeration equipment, disinfection equipment, gravity thickening equipment, dewatering equipment and associated ancillary items, and construction of new structures to house said improvements (the "Project"), and authorized the County to undertake the Project, subject to receipt of permission of the New York State Comptroller in accordance with County Law Section 268 ; and

WHEREAS, at the direction of the County Legislature, the Chairman of the County Legislature has prepared an application for permission of the State Comptroller (the "Application") a copy of which is attached to this resolution;

now, therefore, be it

RESOLVED, by the County Legislature as follows:

1. The County Legislature believes the contents of the Application to be accurate.
2. The County Legislature has previously determined that the Project is in the public interest.
3. The real property to be assessed or charged with the cost of the proposed Project will be benefited by the proposed Project and no benefited property has been excluded.
4. This Resolution is adopted in accordance with Section 85.3 of the New York State Comptroller's Regulations.
5. This Resolution shall take effect immediately.

Dated: September 16, 2026.

HERKIMER COUNTY, NEW YORK

APPLICATION FOR PERMISSION OF THE STATE COMPTROLLER TO
IMPROVE FACILITIES FOR HERKIMER COUNTY
SEWER DISTRICT

September 16, 2026

Pursuant to Section 268 of the County Law, the undersigned Chairman of the County Legislature of Herkimer County, New York (the "County") hereby requests the New York State Comptroller's permission to acquire, construct and install improvements to the sewer facilities (the "Improvements") for the Herkimer County Sewer District (the "District") including, among other things, improvements to the District's Wastewater Treatment Plant and Frankfort Pump Station to extend useful life and meet future anticipated State Pollution Discharge Elimination System (SPDES) Permit discharge limits, replacement of existing equipment and electrical systems, upgrades to influent pumps, screening equipment, grit removal equipment, clarifier equipment, aeration equipment, disinfection equipment, gravity thickening equipment, dewatering equipment and associated ancillary items, and construction of new structures to house said improvements, as more particularly described in the engineering report of Hazen and Sawyer, DPC (the "Engineer's Report") which is on file in the office of the Clerk of the County Legislature and attached hereto as Exhibit A.

The following information is submitted in support of this application in accordance with Section 85.4 of the New York State Comptroller's Regulations.

New York State Comptroller's Regulations Section 85.4:

Paragraph:

(a) *County Law Proceedings.*

- (1) A copy of the Engineer's Report describing the proposed Improvements and the County Legislature's plan for financing costs of the Improvements is attached as Exhibit A.
- (2) A certified copy of the County Legislature's resolution scheduling a public hearing regarding the Improvements is attached as Exhibit B.
- (3) Certified copies of the Notice of Public Hearing regarding undertaking of the Improvements, with proof of posting and publication, are attached as Exhibit C.
- (4) A certified copy of the County Legislature's resolution approving the Improvements, subject to New York State Comptroller's approval (the "Approving Resolution"), is attached as Exhibit D.

(b) *Description of Proposed Improvements.*

The proposed Improvements include, among other things, improvements to the District's Wastewater Treatment Plant and Frankfort Pump Station to extend useful life and meet future anticipated State Pollution Discharge Elimination System (SPDES) Permit discharge limits, replacement of existing equipment and electrical systems, upgrades to influent pumps, screening equipment, grit removal equipment, clarifier equipment, aeration equipment, disinfection equipment, gravity thickening equipment, dewatering equipment and associated ancillary items, and construction of new structures to house said improvements, as more particularly described in the Engineer's Report attached as Exhibit A.

(c) *Maximum of Cost of Proposed Improvements.*

The maximum cost of the proposed Improvements is \$79,361,000.

(d) *Factors Considered by the County Legislature in Determining the Improvements are in the Public Interest.*

The Improvements consist of upgrades to infrastructure that is rapidly reaching the end of its useful life. The District's Wastewater Treatment Plant and Frankfort Pump Station were constructed in 1979 and are approximately 45 years old. State Pollution Discharge Elimination System (SPDES) Permit NY 0036528 is currently under review by the New York State Department of Environmental Conservation and the existing permit is in effect in accordance with the State Administrative Procedures Act. The District facilities treat 3.3 million gallons a day on average and as much as 15 million gallons on the highest day. A failure of this infrastructure would cause this wastewater to discharge into public parks, streets and waterways, such as the Fulmer Creek and Mohawk River, causing significant damage and potential harm to public health in the County. Furthermore, the upgrades include technologies to reduce nutrients for Phosphorous and Ammonia as well as eliminating a total chlorine residual in the effluent discharge.

(e) *Proposed Method of Financing the Cost of Improvements.*

(1) The proposed manner of financing the estimated \$79,361,000 cost of the Improvements consists of the County's short-term and long-term financing through the NYS Environmental Facilities Corporation's Clean Water State Revolving Fund (SRF) in the principal amount of \$79,361,000 with a maximum maturity of 30 years. The estimated long-term interest rate for this financing is 4.6% based on reasonable current market conditions. Nevertheless, it should be noted that the \$79,361,000 estimated cost for the Improvements factors in a 30% contingency cost. Also, the County has submitted a SRF application seeking hardship financing at 0% percent interest rate and/or subsidized financing at 2.25% through the NYS Environmental Facilities Corporation. Based on the Median Household Income data at Table 8 in the Engineer's Report attached as Exhibit A, the County has a good application for hardship and/or subsidized financing through the NYS Environmental Facilities Corporation.

(2) The County has recently applied for a grant from the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act (WIIA) Program and a NYS DEC Water Quality Improvement Program (WQIP) grant.

(f) *Estimated Operating and Maintenance Costs of the Improvements.*

The Improvements will be operated and maintained by the District as part of the District's sewer system. District user charges are imposed to cover operating and maintenance costs in accordance with the District's established rate structure. The District's current sewer rates are \$4.10 per 1,000 gallons of water and the average quarterly bill is about \$70.00, which includes a \$20.00 per account flat fee for the treatment and transportation through the trunk and interceptor sewers. The Improvements are not expected to increase the District's operating and maintenance costs, which is discussed at Table 37 in the Engineer's Report attached as Exhibit A.

(g) *Proposed Manner of Raising Debt Service and Operation and Maintenance Costs.*

The proposed Improvements have an estimated cost of \$79,361,000. The costs of debt service will be funded through user charges imposed on all users in the District. There is not an estimated increase in operation and maintenance costs associated with the proposed Improvements as is discussed in paragraph (f) above.

The annual debt service costs will be allocated among all users on a per-user basis. The US Environmental Protection Agency and the NYS Environmental Facilities Corporation use equivalent dwelling unit (EDU) as the average utility demand produced by a single-family residential household. Based on wastewater flows received at the District's Wastewater Treatment Plant there are 8,365 EDUs served by the District. Assuming \$2,645,367 annual debt service, based on \$79,361,000 principal amount with no grant funding, and a 30-year bond term, the worst-case annual debt service charge to the "Typical Property" is \$316 ($\$2,645,367 \div 8,365$ EDUs). If grant funding is received, the cost of the proposed Improvements is estimated at \$52,021,000, and the anticipated annual cost to the "Typical Property" is \$207. The District plans to start increasing sewer rates incrementally starting in 2028 to spread out the cost of the Improvements. Please refer to Table 38 in the Engineer's Report attached as Exhibit A.

(h) *Aggregate Assessed Valuation.*

The aggregate assessed valuation of the taxable real property in the District, as shown on the latest completed assessment roll, is \$425,624,458.

(i) *Improvements Under Town Law Section 54 or 209-q.*

Not applicable.

(j) *Applications Pursuant to County Law.*

Not applicable. There will be no allocation of costs between zones of assessment.

(k) *Average Full Value of the Taxable Real Property of the County.*

The five-year average full valuation (i.e., current and four preceding assessment rolls) of the taxable real property of the County, computed pursuant to the first paragraph of Local Finance Law Section 2.00 (7-a), is \$829,561,027.

(l) *Itemized Statement of Outstanding, and Authorized but Unissued, Indebtedness.*

\$1,900,000 Public Improvement (Serial) Bonds, 2015 dated 6/18/15
Principal Outstanding: \$580,000
Authorized Indebtedness: \$1,900,000 per Bond Resolution adopted 9/10/14
Unissued: None

\$18,754,224 Public Improvement (Serial) Bonds, 2018 dated 11/20/18
Principal Outstanding: \$9,655,000
Authorized Indebtedness: \$19,750,000 per Bond Resolution adopted 2/10/11
Unissued: \$995,776

\$1,110,000 Public Improvement Refunding (Serial) Bonds, 2021 dated 7/28/21
Principal Outstanding: \$515,000
Authorized / Unissued Indebtedness: The Refunding Bond Resolution adopted 6/9/21 authorized the refunding of all or a portion of the outstanding principal of the Public Improvement (Serial) Bonds, 2009 originally issued by the County in the aggregate principal amount of \$1,975,000

\$65,222 Installment Purchase Obligation dated 4/29/26
Principal Outstanding: \$47,473

- (m) *Statement of All Appropriations Made During Current Fiscal Year for Repayment of Debt Principal, Amount of Any Federal or State Aid Available for Payment of Debt Principal, and Amount of Debt Excludable for Purposes of Computing the County's Debt Limit.*

\$1,900,000 Public Improvement (Serial) Bonds, 2015 dated 6/18/15
2026 Appropriation: \$110,949.65

\$18,754,224 Public Improvement (Serial) Bonds, 2018 dated 11/20/18
2026 Appropriation: \$1,757,775

\$1,110,000 Public Improvement Refunding (Serial) Bonds, 2021 dated 7/28/21
2026 Appropriation: \$135,300

\$65,222 Installment Purchase Obligation dated 4/29/26
2026 Appropriation: \$18,116.91

No State or Federal aid is available for the payment of this debt, and none of this debt is excludable for purposes of computing the County's debt limit.

- (n) *Local Finance Law Article 2, Title 10 Debt Statement.*

Not applicable. See (l) and (n) above.

- (o) *Current Tax Rates and Assessments Applicable to the Taxable Real Property Which Will Bear the Costs of the Improvements.*

See Tax Rate Report attached as Exhibit H.

- (p) *Assessed Value of a "Typical Property" in the District.*

The assessed value of a "Typical Property" in the District is \$66,560.

- (q) *Estimated Amount the Owner of a "Typical Property" and, if Different, a "Typical*

One or Two Family Home" (as defined in County Law Section 278) Will be Required to Pay in the First Year Following Approval of this Application, if Granted, for Debt Service, Operation and Maintenance and Other Charges Related to the Improvements, with an Explanation of How Such Costs were Computed.

The estimated amount the owner of a "Typical Property" will pay in the first year in connection with these Improvements is as follows:

Debt Service for Improvements Capital Cost \$316

See paragraph (g) above for calculation of debt service cost. No additional operation and maintenance or other charges are expected as a result of the Improvements as is discussed at paragraph (f) above.

- (r) *Maximum Amount Any Real Property Owner Will Be Required to Pay in the First Year Following Approval of this Application, If Granted, for Debt Service, Operation and Maintenance and Other Charges Related to the Proposed Improvements, with an Explanation of How Such Costs Have Been Computed.*

Garden Homes Management Corporation, the user of Parcel Nos. 119.2-3-4, 119.2-3-5 and 119.2-3-8, is the largest user in the District as of late. Following the explanations in paragraph (g) above, assuming approximately 100 EDUs associated with this property, it is estimated that the worst-case annual debt service charge to this user will be approximately \$31,600 (\$316 x 100 EDUs).

- (s) *Statement of the State Lands in the District, and the Costs of the Proposed Improvements Which Will be Borne by Such Property During the First Year Following Approval of this Application, If Granted.*

The New York State Canal Corporation owns a parcel on Marina Drive in the Town of Frankfort (Tax Map Parcel No. 112.4-2-6.1), which parcel is located in the District. However, this parcel does not pay user charges and it is wholly tax-exempt including exempt from District ad valorem levies.

- (t) *Location Within Agricultural District.*

No Agricultural District is located within the District.

- (u) *Population of the District; Number of One and Two Family Homes Located in the District; Assessed Value of the Typical One or Two Family Home, and Description of Non Residential Areas Including Total Assessed Value Thereof.*

The estimated population of the District is approximately 19,392 people. The District estimates that there are about 4,300 one- and two-family homes in the District. The assessed value of the typical one or two family home is \$66,560. Nonresidential uses in the District include typical commercial business including shopping centers, restaurants, supermarkets, laundromats, dentists and orthodontists. The total assessed value of nonresidential users is approximately \$63,843,700.

- (v) *Proposals for Development of Vacant Land Located in the District.*

The District includes various parcels of vacant land that could be developed in the future. At this time though, the County is not aware of any significant or material proposed development. The County Legislature's determination that the proposed Improvements will not constitute an undue burden on the area which will bear the

cost of the Improvements was not dependent, in whole or in part, on the development of vacant land.

(w) *Anticipated Revenue from Service Sold to Users Outside the District.*

The District generates around \$300,000 annually accepting and treating hauled septic waste.

(x) *State, or Federal Agency or Court Orders Relating to the Improvements.*

None.

(y) *Actions Taken by Governing Board, Other Than Those Required by the County Law, to Apprise Property Owners of Improvement Costs.*

None. The County complied with County Law requirements in connection with the proposed Improvements to be eligible to apply for a grant from the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act (WIIA) Program. This recent grant funding round was announced around June 10, 2026 and the grant applications were due July 27, 2026.

(z) *Written Objections from Owners of Real Property in the District.*

None.

Additional Information:

Attached as Exhibit F is a certified copy of the resolution of the County Legislature adopted pursuant to Section 85.3(b)(1) of the New York State Comptroller's Regulations stating that this Application was prepared at the direction of the County Legislature; that the County Legislature believes the contents of the Application to be accurate; that the County Legislature has determined that the proposed Improvements for which permission is sought are in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; that all real property to be assessed the cost of the proposed Improvements will be benefited thereby; and that no benefited property has been excluded.

Attached hereto as Exhibit G is the opinion of Bond, Schoeneck & King, PLLC provided in accordance with New York State Comptroller's Regulations Section 85.5.

VERIFICATION

STATE OF NEW YORK)
COUNTY OF HERKIMER) ss.:

Peter J. Campione, being duly sworn, deposes and says that he is Chairman of the County Legislature of Herkimer County, the municipality named in the preceding Application; that he has read the foregoing Application and knows the contents thereof; and that the same is true to his own knowledge.

Peter J. Campione

Sworn to before me this
_____ day of September, 2026.

Public Notary

List of Exhibits

- Exhibit A Engineer's Report.
- Exhibit B County Legislature resolution scheduling a Public Hearing regarding the Improvements.
- Exhibit C Certified copy of Notice of Public Hearing, with proof of publication.
- Exhibit D County Legislature Approving Resolution.
- Exhibit E Reserved.
- Exhibit F County Legislature resolution regarding this Application and other matters.
- Exhibit G Legal Opinion of Bond, Schoeneck & King, PLLC.
- Exhibit H Current property tax rates.

On motion of Mr. Gaworecki, seconded by Mr. Haehl, Resolution No. 267 sponsored by the Committee on County Planning & Development making appointment to the Herkimer County Industrial Development Agency was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Wedemeyer, Brezinski (2).

Abstain: Campione (1).



HERKIMER COUNTY LEGISLATURE

No. 267

RESOLUTION MAKING APPOINTMENT TO THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Sponsored by: Committee on County Planning & Development

WHEREAS, this Legislature by Resolution No. 124 of 1970 established an Industrial Development Agency for the County of Herkimer, and by Resolution No. 104 for 1982, amended said resolution to increase membership of the Herkimer County Industrial Development Agency to seven members; and

WHEREAS, it is necessary to make an appointment to fill a vacancy on said Industrial Development Agency; now, therefore, be it

RESOLVED, that this Legislature hereby appoints Peter J. Campione, Little Falls, New

York, to the Herkimer County Industrial Development Agency; and, be it further

RESOLVED, that said appointee shall serve on said Agency until a successor is appointed and qualified; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Industrial Development Agency, the Secretary of State of the State of New York, and Peter J. Campione.

Dated: September 16, 2026.

On motion of Mr. Schrader, seconded by Mr. Brewer, Resolution No. 268 sponsored by the Committee on Ways & Means pursuant to Section 206 of County Law changing Legislative Office Building Hours was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 268

RESOLUTION PURSUANT TO SECTION 206 OF COUNTY LAW CHANGING LEGISLATIVE OFFICE BUILDING HOURS

Sponsored by: Committee on Ways & Means

WHEREAS, Section 206 of the County Law permits the County Legislature to fix the office hours of the County Clerk, County Treasurer, Clerk of the Legislature and other county departments; and

WHEREAS, Resolution No. 244 of 2022 established it is desired to establish summer hours for county departments from 8:00 A.M. to 4:00 P.M. from the day after Memorial Day to the day before Labor Day, and hours of 8:00 A.M. to 4:30 P.M. from Labor Day through to Memorial Day

WHEREAS, due consideration has been given and recommendations made by the Committee on Ways & Means concerning hours of operation of the Herkimer County Office Buildings; and

WHEREAS, it is desired to establish hours for county departments from 8:00 A.M. to 4:00 P.M. year-round; now, therefore be it

RESOLVED, that hours of 8:00 A.M. to 4:00 P.M. are hereby established for county departments year-round, going forward; and be it further

RESOLVED, that the Clerk of the Legislature be and is hereby directed to provide the public and departments of the County due notice of the change in hours; and, be it further

RESOLVED, that a copy be sent to the Herkimer County Treasurer, Auditor, Budget Officer, and all other County Departments.

Dated: September 16, 2026.

On motion of Mr. Swartz, seconded by Mrs. Wares, Resolution No. 269 in Memoriam of Larry B. Barton was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Wedemeyer, Brezinski (2).



HERKIMER COUNTY LEGISLATURE

No. 269

IN MEMORIAM

- WHEREAS,** *Larry B. Barton departed this life on August 9, 2026; and*
- WHEREAS,** *Larry was an outstanding citizen, and he had a profound devotion to his family and friends and was steadfast in that devotion; and*
- WHEREAS,** *Larry served as a member of the Herkimer County Legislature, representing District 16 from 2004-2007. During his time in the Legislature, he served on the Administration/Veterans' Affairs Committee, County Personnel Committee, County Planning & Development Committee, Information Services Committee, Education Committee, and Highways Committee; and*
- WHEREAS,** *Larry was a parishioner of St. Joseph's Roman Catholic Church in Dolgeville, he enjoyed collecting pottery, reading, and researching history and genealogy; 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 Larry B. Barton, and hope that this expression of remembrance may in some manner help console his family in their bereavement; and, be it further*
- RESOLVED,** *That a copy of this Resolution be sent to the family of Larry B. Barton, and that an additional copy be spread upon the minutes of this meeting.*

Dated: September 16, 2026.

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

At 7:15 p.m. on motion of Mr. Malta, seconded by Mr. Weakley, the Legislature adjourned to October 7, 2026 at 2:00 p.m., with a Public Hearing on Introductory Local Law B at 1:15 p.m.

Brittney R. Viscomi, Clerk