

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Third Day**  
**Wednesday, February 12, 2020**  
**7:00 p.m.**

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

Chairman Bono called on Bruce Weakley, Director of Weights & Measures, to lead the Legislature in the Pledge of Allegiance.

Chairman Bono called for a moment of silence in recognition of all veterans, past and present, as well as Roger Stock, former Mayor of the City of Little Falls.

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

Present: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Shaw, Weakley (14).

Absent: Donley, Campione, Russell (3).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of January 22, 2020. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individual spoke on the topic listed: Fran Madore – 2A; Doc Mowers – 2A; Trevor Judson – 2A; and Donald Mochrie – County Code Officer.

Chairman Bono 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. Johnson requested Communication Nos. 59, 60, & 61 be read.

No. 58 – A communication was received from the Sheriff submitting Monthly Report for November 2019. Referred to the Committee on Public Safety & Emergency Management.

No. 59 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 60 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 61 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 62 – A communication was received from the Director of Community Services advising of appointments to Community Service Board. Filed.

No. 63 – A communication was received from the Director of Emergency Services advising of appointments for Deputy EMS Coordinators. Filed.

No. 64 – A communication was received from the Personnel Officer submitting GASB 74 & 75 actuarial report for 2019. Filed.

No. 65 – A communication was received from the STOP-DWI Coordinator advising of closing out 2018-2019 Crackdown Grant. Filed.

No. 66 – A communication was received from NYS Department of State advising of Filing of Local Law No. 1 for 2020. Filed.

No. 67 – A communication was received from Soil & Water submitting 2019 Annual Report. Filed.

No. 68 – A communication was received from State Representatives submitting a copy of letter to FEMA. Filed.

No. 69 – A communication was received from the County Auditor submitting report of corrected tax rolls. Filed.

No. 70 – A communication was received from the County Attorney submitting letter regarding Parcel in the Town of Schuyler. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 71 – A communication was received from the Commissioners of Elections submitting 2019 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 72 – A communication was received from the Director of Community Services submitting 2019 Annual Report. Referred to the Committee on Human Resources.

No. 73 – A communication was received from the Director of Office for the Aging submitting 2019 Annual Report. Referred to the Committee on Human Resources.

No. 74 – A communication was received from the Personnel Officer submitting 2019 Annual Report. Referred to the Committee on Ways & Means.

No. 75 – A communication was received from the Personnel Officer submitting 2019 Annual Report for former HC Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways & Means.

No. 76 – A communication was received from the Personnel Officer submitting 2019 Annual Report for Stand Alone Workers Compensation Self-Insurance Coverage. Referred to the Committee on Ways & Means.

No. 77 – A communication was received from the Budget Officer/Purchasing Agent submitting 2019 Annual Report. Referred to the Committee on Ways & Means.

No. 78 – A communication was received from the Director of Weights & Measures submitting 2019 Annual Report. Referred to the Committee on Natural Resources.

No. 79 – A communication was received from the Director of Emergency Services requesting appointments to Fire Advisory Board. Referred to the Committee on Public Safety & Emergency Management.

No. 80 – A communication was received from the Chairman of Herkimer County Legislature submitting appointment to Cornell Cooperative Extension Board. Referred to the Committee on Natural Resources.

No. 81 – A communication was received from the Secretary/Treasurer of 22 Sportsmen Club submitting appointment to Regional Fish & Wildlife Board. Referred to the Committee on Natural Resources.

No. 82 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment. Referred to the Committee on Ways & Means.

No. 83 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in Board of Elections. Referred to the Committee on Ways & Means.

No. 84 – A communication was received from the Commissioners of Elections requesting Salary Increase for Poll Workers. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 85 – A communication was received from the Deputy Highway Superintendent requesting 2020 Capital Construction Projects. Referred to the Committee on Highways.

No. 86 – A communication was received the from Highway Superintendent requesting approval of 2020 County Highway Map. Referred to the Committee on Highways.

No. 87 – A communication was received from the Director of Real Property requesting Resolution for Corrected Tax Roll. Referred to the Committee on Ways & Means.

No. 88 – A communication was received from the Budget Officer/Purchasing Agent requesting renewal of contract for Building Maintenance Management Program. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 89 – A communication was received from the Budget Officer/Purchasing Agent requesting new account, transfer, and budget amendment for Special Patrol Officer positions. Referred to the Committee on Ways & Means.

No. 90 – A communication was received from the Budget Officer/Purchasing Agent requesting purchase of additional user licenses in Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 91 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 92 – A communication was received from County Treasurer requesting renewal of contract with Tyler Technologies. Referred to the Committee on Ways & Means.

No. 93 – A communication was received from the Director of Health Services requesting renewal of contract. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 94 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 95 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer and creation of account in Board of Elections for purchase of software licenses and hardware accessories for electronic poll books. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Mr. Bono gave an update of a meeting with State Representatives.

On motion of Mr. Stephens, seconded by Mr. Weakley, an amendment was handed up for Resolution No. 50 to remove Mr. Frederick J. Shaw, Jr., and replace with Mr. Gregory Malta, Sr., then voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Weakley, seconded by Mr. Hollum, the following Consent Agenda was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

**Consent Agenda:**

- 41 ADMIN./VETS AFFAIRS: Adopting Annual Report of Board of Elections
- 42 HUMAN RES.: Adopting Annual Report of Mental Health
- 43 HUMAN RES.: Adopting Annual Report of Office for the Aging
- 44 WAYS & MEANS: Adopting Annual Report of Personnel Office
- 45 WAYS & MEANS: Adopting Annual Report of Former HC Self Insurance Plan
- 46 WAYS & MEANS: Adopting Annual Report of HC Stand Alone Workers Comp. Plan
- 47 WAYS & MEANS: Adopting Annual Report of Purchasing Agent
- 48 NAT. RESOURCES: Adopting Annual Report of Director of Weights and Measures
- 49 PUB. SFTY./EMER.MGMT.: Appointing Members to the HC Fire Advisory Board
- 50 NAT. RESOURCES: Designating Member to Cornell Cooperative Extension Board of Directors
- 51 NAT. RESOURCES: Reappointing Member to Regional Fish & Wildlife Board

The Chairman continued with the Regular Agenda.

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 52 sponsored by the Committee on Ways and Means amending the 2020 budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Weakley, seconded by Mr. Hollum, Report and Resolution No. 53 sponsored by the Committee on Ways and Means authorizing transfer of funds and creating account in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Johnson, seconded by Mr. Schrader, Report and Resolution No. 54 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means amending Resolution No. 61 of 2014 establishing payment amounts to Election Workers was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (12).      Against: Stephens (1).      Abstain: Manno (1).

Absent: Donley, Campione, Russell (3).

On motion of Mr. Schrader, seconded by Mr. Gaworecki, Report and Resolution No. 55 sponsored by the Committee on Highways approving Projects under Article 6, Section 116 of the Highways Law was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 56 sponsored by the Committee on Highways approving 2020 County Highway Map was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Johnson, seconded by Mr. Ackerman, Report and Resolution No. 57 sponsored by the Committee on Ways and Means correcting tax roll in the Town of Webb was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Johnson, seconded by Mr. Keeler, Report and Resolution No. 58 sponsored by the Committee on County Properties and the Committee on Ways and Means authorizing renewal of contract for a Building Maintenance Program was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 59 sponsored by the Committee on Ways and Means establishing budget account, amending budget and transferring funds in connection with Special Patrol Officers was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Weakley, seconded by Mr. Malta, Report and Resolution No. 60 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means authorizing purchase of additional user licenses for Black Creek Sallyport Inmate Management System was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 61 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving utilization of grant funding and approving the transfer of funds for purchase in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Johnson, seconded by Mr. Ackerman, Report and Resolution No. 62 sponsored by the Committee on Ways & Means authorizing execution of annual Accounting System Maintenance Agreement was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Hollum, seconded by Mr. Schrader, Report and Resolution No. 63 sponsored by the Committee on Human Resources and the Committee on Ways and Means approving agreement for maintenance and support of software for the Education of Handicapped Children's Program was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Malta, seconded by Mr. Shaw, Report and Resolution No. 64 sponsored the Committee on Human Resources and the Committee on Ways and 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 (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Weakley, seconded by Mr. Stephens, Report and Resolution No. 65 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing purchase, creating account, and transferring funds in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

On motion of Mr. Stephens, seconded by Mr. Weakley, Resolution No. 66 sponsored by the Committee on Ways and Means determining officers and employees of Herkimer County required to file financial disclosure forms was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Donley, Campione, Russell (3).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators made a comment: Legislator Johnson, Legislator Schrader, and Chairman Bono.

At 7:34 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, March 11, 2020 at 7:00 p.m.

Brittney R. Viscomi, Clerk



## HERKIMER COUNTY LEGISLATURE

No. 41

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY BOARD OF ELECTIONS

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of the Herkimer County Board of Elections for the year 2019, 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 Herkimer County Board of Elections be approved and placed on file with the Herkimer County Legislature for the year 2019.

Dated: February 12, 2020.





## HERKIMER COUNTY LEGISLATURE

No. 42

### 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 2019 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 2019 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2019.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 43

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE AGING**

**Sponsored by: Committee on Human Resources**

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 2019, 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 Herkimer County Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2019.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 44

### **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 2019, 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 2019 be approved and placed on file with the Herkimer County Legislature.

Dated: February 12, 2020.



## **HERKIMER COUNTY LEGISLATURE**

No. 45

### **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 2019, 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 2019 be adopted and filed with the Herkimer County Legislature.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 46

### **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 2019, 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 2019 be adopted and filed with the Herkimer County Legislature.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 47

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PURCHASING AGENT FOR THE YEAR 2019**

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

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Budget Officer and Purchasing Agent, submitting the report of the Purchasing Department the months of January through December, 2019, respectfully reports that we have examined said report, recommend its adoption and offer the following resolution:

RESOLVED, that the Annual Report of the Purchasing Agent for the year 2019 be adopted and filed with the Herkimer County Legislature.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 48

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF DIRECTOR OF WEIGHTS AND MEASURES**

**Sponsored by: Committee on Natural Resources**

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report of the Director of Weights and Measures for the year 2019, reports that we have examined said report, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Director of Weights and Measures be adopted and filed with the Herkimer County Legislature for the year 2019.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 49

### REPORT AND RESOLUTION APPOINTING MEMBERS OF THE HERKIMER COUNTY FIRE ADVISORY BOARD

**Sponsored by: Committee on Public Safety/Emergency Management**

WHEREAS, Section 225-a of the County Law provides for the appointment of a County Fire Advisory Board; and

WHEREAS, this Legislature has received the recommendation from John J. Raymond, Director of Emergency Service to make the Fire Advisory Board appointments based on member agencies submissions; now, therefore be it

RESOLVED, that the following named persons be, and hereby are, appointed as members of the Herkimer County Fire Advisory Board for a term of two years commencing January 1, 2020 and terminating December 31, 2021;

Chief John Spanfelner- Representing the Herkimer Fire Department  
Chief Thomas Pederson – Representing the Ilion Fire Department  
Chief Robert Parese – Representing the Little Falls Fire Department  
Richard Levonski – Representing the Dolgeville Fire Department  
Richard Nichols – Representing the Salisbury Fire Department  
Chief Richard Jordan – Representing the VanHornesville Fire Department  
Chief Eric Conigliaro – Representing the Frankfort Fire Department  
Assistant Chief Walter Reska– Representing the Schuyler Fire Department  
Assistant Chief Shawn Flemming – Representing the Poland Fire Department  
Captain Joseph McCusker – Representing the Poland Fire Department  
Mary Henry – Representing the Town of Webb Fire District  
Charles Bogardus– Representing the Town of Webb Fire District  
Douglas Thierry – Representing the Newport Fire Department  
Chief Peter Cirillo – Representing the East Herkimer Fire Department  
Deputy Chief Douglas Barton – Representing the East Herkimer Fire Department  
Kenneth Palmer – Representing the Mohawk Fire Department  
Chief Daniel Coffin – Representing the Cedarville Fire Department  
Fred Sinclair – Representing the Cedarville Fire Department  
Chief Donald Witte – Representing Frankfort Hill Fire Department  
Past Chief Keith McNally – Representing Frankfort Hill Fire Department



and, be it further

RESOLVED, that the Director of Emergency Services, John J. Raymond, be and hereby is appointed as a member of the Herkimer County Fire Advisory Board for a term of two years commencing January 1, 2020 and ending December 31, 2021; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Secretary of the Fire Advisory Board and each appointee.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 50

### **REPORT AND RESOLUTION DESIGNATING THE COUNTY REPRESENTATIVE ON THE BOARD OF DIRECTORS OF CORNELL COOPERATIVE EXTENSION SERVICES OF HERKIMER COUNTY**

**Sponsored by: Committee on Natural Resources**

WHEREAS, the Constitution of the Herkimer County Cooperative Extension Services of Herkimer County, enacted pursuant to the provisions of Section 224 of the County Law, provides among other things, that the county governing body shall annually appoint one Legislator to serve on the Association's Board of Directors; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby reappoints Frederick J. Shaw, Jr., as the legislative representative of the County of Herkimer to serve on the Board of Directors of Cornell Cooperative Extension Services of Herkimer County, for a term to expire on December 31, 2020; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Cornell Cooperative Extension Services of Herkimer County and Frederick J. Shaw, Jr.

Dated: February 12, 2020.

**Amendment:** the Resolution was amended to remove Frederick J. Shaw, Jr., and replace with Gregory Malta, Sr.



## HERKIMER COUNTY LEGISLATURE

No. 51

### **REPORT AND RESOLUTION REAPPOINTING MEMBER TO THE REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD**

**Sponsored by: Committee on Natural Resources**

RESOLVED, that the reappointment of Chris Burke, Ilion, New York, to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, by letter dated January 31, 2020 be, and hereby is, ratified and confirmed for sportsmen's representative, which term shall end on December 31, 2021; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Regional Supervisor of Fish and Wildlife at Region 6 of the New York State Department of Environmental Conservation and Chris Burke.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 52

### REPORT AND RESOLUTION AMENDING 2020 BUDGET

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

WHEREAS, by letter dated January 24, 2020 from Sheri A. Ferdula, Budget Officer, your committee is advised that a budget amendment is necessary in the 2020 budget in Employment and Training for Trade Adjustment Assistance; now, therefore be it

RESOLVED: that the 2020 Herkimer County Budget is amended as follows:

#### REVENUE

CD6295.4797, ET10-18, Trade Adjustment Assistance	From: \$3,100
	To: \$145,000

#### EXPENSE

CD6295.46000-683, ET 10-18, CRT	From: \$1,000
	To: \$80,000

CD6295.46000-712, ET 10-18, OJT	From: \$1,000
	To: \$50,000

CD6295.46000-734, ET 10-18, Supportive Services	From: \$100
	To: \$10,000

CD6295.46100-759, ET 10-18, Trade Act, Mileage	From: \$1,000
	To: \$5,000

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

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 53

### REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS AND CREATING ACCOUNT IN BOARD OF ELECTIONS

**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 28, 2020, submitting a request to create an account and transfer of funds, reports that we have examined said communication, inquired into the subject matter 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 create an account and to transfer the following sum from and to the following accounts in the 2020 Budget:

**Create:**

A1450H.22000, Early Voting, Computer Equipment

**Transfer:**

\$17,000

FROM: A1450H.40700, Early Voting, Computer Software

TO: A1450H.22000, Early Voting, Computer Equipment

and, be it further

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

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 54

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 61 OF 2014 ESTABLISHING PAYMENT AMOUNTS TO ELECTION WORKERS PURSUANT TO THE HELP AMERICA VOTE ACT OF 2002**

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

WHEREAS, by Resolution No. 61 adopted on February 26, 2014, payment amounts were revised for election workers pursuant to the Help America Vote Act of 2002; and

WHEREAS, by letter dated January 22, 2020, Kim S. Tranter and Anthony C. Fumarola, Commissioners of Elections, have requested that the Election Inspectors for both the Primary Elections and the General Elections be paid an equal rate, due to changes by the NYS Legislature for the hours of the Primary Elections now being held the same hours as the General Elections; and

WHEREAS, your Committees have considered said request, and recommend the Election Inspectors for both the Primary Elections and the General Elections be paid a rate of \$175 per day; now, therefore, be it

RESOLVED, that the Election Inspectors for both the Primary Elections and General Elections be paid a rate of \$175 per day, and that all other rates established in Resolution No. 61, of 2014 remain the same; and, be it further

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

Dated: February 12, 2020.



## 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 a letter from Jim Lindholm, Deputy County Superintendent of Highways, dated January 24, 2020, submitting three copies each of statements under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2020 covering three 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 designate 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 projects involved in the Capital Construction Program, to be funded as listed:

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
399	Ohio City Road & Church Street, CR 122 Reconstruction/Rehabilitation, Town of Ohio	Rehabilitation	\$425,000.00
400	Bush Road, CR 180 Roadside Slope Armoring, Town of Schuyler	Roadside Slope Armoring	\$200,000.00
401	Gray Wilmurt Road, CR 4 BIN 3307910 Bridge Replacement, Town of Norway	Construction/ Construction Inspection	\$1,000,000.00

RESOLVED, that these projects will be funded by CHIPS, EWR, and PAVE-NY monies; and, be it further

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

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 56

### REPORT AND RESOLUTION APPROVING 2020 COUNTY HIGHWAY MAP

#### **Sponsored by: Committee on Highways**

WHEREAS, pursuant to Highway Law Section 115, the County Superintendent of Highways shall prepare a map of the county road system to be approved by the board, and once approved it shall be filed in the Office of the County Clerk and the County Highway Superintendent; and

WHEREAS, by letter dated January 21, 2020, Mark Nagele, County Highway Superintendent, has requested the Legislature approve the 2020 County Highway Map; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the 2020 County Highway Map; and, be it further

RESOLVED, that the 2020 County Highway Map be filed in the Office of the County Clerk and the County Superintendent; and, be it further

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

Dated: February 12, 2020.





## HERKIMER COUNTY LEGISLATURE

No. 57

### REPORT AND RESOLUTION CORRECTING TAX ROLL IN THE TOWN OF WEBB

#### Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated January 22, 2020 from Beth Sadlon, Director of Real Property Tax Services, this Legislature is informed that an error was made on the 2020 Tax Roll in the Town of Webb on property listed below in that an incorrect assessment was placed in error; 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 Town of Webb for the parcel listed below:

Town: Webb

Tax Map No. 050.17-1-2

Amount Billed: \$5,475.87

Owners: Taylor, Wendy

Address: 54 Sullivan Street

Cazenovia, NY 13035

Corrected Tax: \$1,868.30

2. That this Legislature approves the application to correct the error 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 is 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 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 Town of Webb and the above listed applicant.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 58

### **REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR A BUILDING MAINTENANCE MANAGEMENT PROGRAM**

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

WHEREAS, by Resolution No. 182 of 2016, amended by Resolution No. 209 of 2016, this Legislature authorized a contract with Facility Dude, to set up a building maintenance management program designed to provide greater efficiencies through organized tracking and planning as well as facility evaluations; and

WHEREAS, by letter dated January 22, 2020, from Sheri A. Ferdula, Budget Officer, this Legislature has been advised that the contract included an annual maintenance fee of \$6,660, and the most recent invoice for 2020 is \$7,251.44 for the period of January 1, 2020 through December 31, 2020; now, therefore, be it

RESOLVED, that a renewal of the contract with Facility Dude is hereby authorized, at an annual maintenance fee of \$7,251.44 for the period of January 1, 2020 through December 31, 2020, with the contract to provide for termination by the County at any time, and with the terms and conditions 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 Facility Dude.

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 59

### REPORT AND RESOLUTION ESTABLISHING BUDGET ACCOUNT, AMENDING BUDGET, AND TRANSFERRING FUNDS IN CONNECTION WITH SPECIAL PATROL OFFICER POSITIONS

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

WHEREAS, by Resolution No. 9, adopted on January 22, 2020, this Legislature amended Salary Schedule V and the Part Time Salary Schedule to create positions in the Sheriff's department; and

WHEREAS, by letter dated January 6, 2020, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a separate budget account be established for the Special Patrol Officer positions, or any Deputy Sheriff/Correction Officer working in a school district under a School Resource Officer assignment, and that all positions in the title will be moved into the new account going forward; and

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent has also advised that a budget amendment and a transfer in the 2020 budget is necessary; now, therefore, be it

RESOLVED, that an account be established along with the completion of a transfer and an amendment to the 2020 budget to account for the expenses of the SPO program in the amount \$307,441, with revenue totaling \$264,684 be made as follows:

**Budget Amendment:**

**Create Revenue:**

A3112.1589, SPO/SRO, Reimbursement	From: \$0
	To: \$77,201

**Create Expense:**

A3112.10000-001, SPO, Salaries	From: \$0
	To: \$70,770
A3112.10100-021, SPO, Permanent Part Time	From: \$0
	To: \$35,655
A3112.83000, SPO, Social Security	From: \$0
	To: \$6,598.35
A3112.83500, SPO, Medicare	From: \$0
	To: \$1,543.16
A3112.84000, SPO, Workers Comp	From: \$0
	To: \$2,394.56
A3112.86000, SPO, Health Insurance	From: \$0
	To: \$2,996.93

**Transfer:**

**Revenue:**

\$187,483 From: A3110.1589, Sheriff, Reimbursement  
To: A3112.1589, SPO Reimbursement

**Expense:**

\$133,093 From: A3110.10000-001, Sheriff, Salaries  
To: A3112.10000-001, SPO Salaries

\$23,480 From: A3110.10100-021, Sheriff, Permanent Part Time  
To: A3112.10100-021, SPO, Permanent Part Time

\$9,725.51 From: A3110.83000, Sheriff, Social Security  
To: A3112.83000, SPO, Social Security

\$2,274.51 From: A3110.83500, Sheriff, Medicare  
To: A3112.83500, SPO, Medicare

\$3,529.42 From: A3110.84000, Sheriff, Workers Comp  
To: A3112.84000, SPO, Workers Comp

\$15,380.56 From: A3110.86000, Sheriff, Health Insurance  
To: A3112.86000, SPO, Health Insurance

and, be it further

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

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 60

### **REPORT AND RESOLUTION AUTHORIZING PURCHASE OF ADDITIONAL USER LICENSES FOR BLACK CREEK SALLYPORT INMATE MANAGEMENT SYSTEM**

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

WHEREAS, by letter dated January 24, 2020 from Scott F. Scherer, Sheriff, this Legislature is advised of a request to purchase additional user licenses for the Black Creek SallyPort Inmate Management System for a total of \$19,350; and

WHEREAS, by letter dated January 24, 2020 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the total purchase will be \$19,350, of which \$3,870 will cover the first 12 months of annual support, and the SCAAP (State Criminal Alien Assistance Program) will cover \$17,134, with the remaining \$2,216 coming from the contracted services account for the current jail; now, therefore be it

RESOLVED, that authorization is given for the purchase of additional user licenses for the Black Creek SallyPort Inmate Management System, from Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for a total of \$19,350; and, be it further

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

Dated: February 12, 2020.





## HERKIMER COUNTY LEGISLATURE

No. 62

### REPORT AND RESOLUTION AUTHORIZING EXECUTION OF ANNUAL ACCOUNTING SYSTEM MAINTENANCE AGREEMENT

#### Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 173 of 2003 a contract was awarded to New World Systems for Financial Management payroll software, training, support service and maintenance on said software package; and

WHEREAS, by Resolution No. 144 of 2016 a maintenance agreement was executed with Tyler Technologies, who acquired New World Systems; and

WHEREAS, by letter dated January 23, 2020, Kim Enea, County Treasurer, has requested that a new agreement be entered into with Tyler Technologies for the period February 1, 2020 through January 31, 2021 at a cost of \$45,514.52; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Tyler Technologies, 840 West Long Lake Road, Troy, Michigan 48098 for a one year maintenance agreement of the County's Logos Accounting as follows:

<u>Period Covered</u>	<u>Annual Amount</u>
2/1/2020 to 1/31/2021	\$45,514.52

and, be it further

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

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

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 63

### **REPORT AND RESOLUTION APPROVING AGREEMENT FOR MAINTENANCE AND SUPPORT OF SOFTWARE FOR THE EDUCATION OF HANDICAPPED CHILDREN'S PROGRAM**

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

WHEREAS, by Resolution No. 312 adopted on December 11, 2013, this Legislature authorized a contract with James McGuinness & Associates, Inc. for the purchase of software to assist in managing referrals and cases for the Education of Handicapped Children program; and

WHEREAS, by letter dated January 16, 2020, Diane Ward, Director of Health Services, has requested renewal of said contract with James McGuinness & Associates for three calendar years, from January 1, 2020 to December 31, 2022, for maintenance and support at the rate of \$625 per month for maintenance and support and \$167 per month for the Medicaid Service Bureau; now, therefore, be it

RESOLVED, that a contract with James McGuinness & Associates, Inc., is authorized for an additional three years commencing January 1, 2020 for maintenance and support of software to assist in managing referrals and cases for the Education of Handicapped Children program at the rate of \$625 per month for maintenance and support and \$167 per month for the Medicaid Service Bureau; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract with James McGuinness & Associates, Inc., 1482 Erie Boulevard, Schenectady, New York 12305, for said services for the Education of Handicapped Children program, with the terms and conditions of said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: February 12, 2020.





# HERKIMER COUNTY LEGISLATURE

No. 64

## 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 January 29, 2020, from Diane Ward, Director of Health Services, 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, 2019 and ending September 30, 2020 with funding for this period to be in the amount of \$39,826.00; and

WHEREAS, by letter dated January 29, 2020, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2019 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for the period October 1, 2019 through September 30, 2020 in the total amount of \$39,826.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document in the amount of \$39,826.00 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, 2019 to September 30, 2020, unless terminated in accordance with the terms thereof; and, be it further

RESOLVED, that the 2019 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4189L.4489B, Lead Prevention, State Aid	From:	\$0
		To:	\$39,826
Expense Account:	A4189L.10000-001, Lead Prev., Salaries	From:	\$0
		To:	\$27,300
	A4189L.41000, Lead Prev., Supplies	From:	\$0
		To:	\$3,000

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A4189L.46100, Lead Prev., Mileage	From:	\$0
	To:	\$500
A4189L.46300, Lead Prev., Postage	From:	\$0
	To:	\$900
A4189L.86000, Lead Prev., Health Ins.	From:	\$0
	To:	\$8,126

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: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 65

### **REPORT AND RESOLUTION AUTHORIZING PURCHASE, CREATING ACCOUNT, AND TRANSFERRING FUNDS IN BOARD OF ELECTIONS**

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

WHEREAS, by letter dated February 11, 2020, from the Commissioners of Elections, this Legislature is advised of a request to purchase software licenses and hardware accessories for the recently purchased iPads for them to function as electronic poll books from Knowink Innovative Election Solutions, 2111 Olive Street, Saint Louis, MO 63103, in the amount of \$65,780; and

WHEREAS, by letter dated February 10, 2020, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the creation of an account and transfers of funds will be necessary to create said purchase; now, therefore be it

RESOLVED, that the above described purchase of software licenses and hardware accessories for the recently purchased iPads for them to function as electronic poll books from Knowink Innovative Election Solutions, in the amount of \$65,780 is approved; and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to create an account and to transfer the following sum from and to the following accounts in the 2020 Budget:

**Create:**

A1450F.40700, Shoebox, Computer Software

**Transfer:**

\$18,900.00                      FROM: A1450F.22000, Shoebox, Computer Equipment  
   TO:        A1450F.40700, Shoebox, Computer Software

\$18,187.13                      FROM: A1450F.44000, Shoebox, Contracted Services  
   TO:        A1450F.40700, Shoebox, Computer Software

\$80.87                            FROM: A1450F.41000, Shoebox, Supplies  
   TO:        A1450F.40700, Shoebox, Computer Software.

and, be it further

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

Dated: February 12, 2020.



## HERKIMER COUNTY LEGISLATURE

No. 66

### **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, 2020.

**2020**  
**Schedule A**

Legislators (16)  
Chairman (1)  
County Administrator  
Clerk of the Legislature  
Deputy Clerk of the Legislature  
District Attorney  
Assistant District Attorney (4)  
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  
County Attorney  
Assistant County Attorney (3)  
Personnel Officer/Safety Coordinator  
Sheriff  
Undersheriff  
Captain  
Principal Account Clerk  
Lieutenant(2)  
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)  
Director of Community Services  
Administrative Officer, Mental Health  
Commissioner of Social Services  
DSS Attorney (2)  
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  
Social Services Employment Coordinator  
Veterans' Service Agency Director  
Director of Weights and Measures  
Director of Office for the Aging  
Nutrition Services Coordinator

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  
Director of Emergency Services  
Deputy Director of Emergency Services  
Supervising Public Safety Telecommunicator  
IDA Executive Director  
Financial Manager

**COMMITTEES, BOARDS AND COUNCILS**

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

**HERKIMER COUNTY COMMUNITY COLLEGE:**

President  
Trustee (9)  
Senior Vice-President for and Finance  
Dean of Students  
Provost  
Associate Dean of Academic Affairs  
Director of Human Resources  
Controller  
Assistant Dean of Academic Affairs  
Director of Athletics  
Assistant to the President  
Director of Library Services  
Associate Dean of Academic Affairs – Humanities/Soc. Sciences  
Purchasing Agent  
Associate Dean of Academic Affairs – Business/Health/Science/Tech.  
Director of Campus Safety  
Director of Public Relations  
Director of Facilities  
Acting Director of Information Services  
Director of Admissions  
Director of Institutional Research