

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Fifth Day**  
**Wednesday, March 16, 2022**  
**7:00 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:01 p.m.

Chairman Bono called on Kristen Snyder-Branner, Director of Community Services, 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.

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

Present: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Absent: Malta (1).

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

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 February 16, 2022. There were none, and the Chairman ordered them approved.

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. There were no requests.

No. 95 – A communication was received from the County Auditor submitting tax corrections for the month of January 2022. Filed.

No. 96 – A communication was received from the Soil and Water Conservation District submitting Annual Report for 2021. Filed.

No. 97 – A communication was received from the NY State Department of Labor advising of grant funding awarded to Herkimer County. Filed.

No. 98 – A communication was received from Chairman Bono submitting letter to Vice Chairman to preside in his absence. Filed.

No. 99 – A communication was received from the County Clerk submitting letter of resignation for the Director of Information Services. Filed.

No. 100 – A communication was received from the County Clerk submitting letter of resignation for the Democratic Commissioner of Elections. Filed.

No. 101 – A communication was received from the Director of Weights & Measures submitting 2021 Annual Report. Referred to the Committee on Natural Resources.

No. 102 - A communication was received from the Director of Community Services submitting 2021 Annual Report. Referred to the Committee on Human Resources.

No. 103 – A communication was received from the Director of Community Services requesting reimbursement for professional liability insurance to Mental Health Consultant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 104 – A communication was received from the Director of Real Property Tax Services submitting 2021 Annual Report. Referred to the Committee on Ways & Means.

No. 105 – A communication was received from the Budget Officer/Purchasing Agent submitting 2021 Annual Report. Referred to the Committee on Ways & Means.

No. 106 – A communication was received from the County Clerk submitting 2021 Annual Report. Referred to the Committee on Administration/Veterans' Affairs.

No. 107 – A communication was received from Chairman Bono submitting appointment to Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 108 – A communication was received from the 22 Sportsman Club submitting appointment to Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 109 – A communication was received from the Highway Superintendent submitting 2021 Annual Report. Referred to the Committee on Highways.

No. 110 – A communication was received from the Highway Superintendent requesting discussion on Touch a Truck Event. Referred to the Committee on Highways.

No. 111 - A communication was received from the Highway Superintendent requesting approval of 2022 capital construction project. Referred to the Committee on Highways.

No. 112 – A communication was received from the Highway Superintendent requesting discussion on project in the Village of West Winfield. Referred to the Committee on Highways.

No. 113 – A communication was received from the Highway Superintendent requesting approval to accept bids for items being auctioned that can no longer be used by the County. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 114 – A communication was received from the Budget Officer/Purchasing Agent requesting an appropriation of funds to satisfy the County snow contracts. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 115 – A communication was received from the Budget Officer/Purchasing Agent requesting bid be awarded for roof replacement and appropriating funds for the Highway garage. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 116 – A communication was received from the Soil and Water Conservation District submitting Notice of Meeting. Filed.

No. 117 – A communication was received from the District Attorney requesting amendment to the Aid to Prosecution Grant in the District Attorney's Office. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 118 – A communication was received from the Director of Probation requesting amendment to Resolution No. 342 of 2021 to increase dues in Probation. Referred to the Committee on Ways & Means.

No. 119 – 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. 120 – A communication was received from the Director of Emergency Services requesting approval to purchase upgrade to telephone system using grant funds and Chairman to e-sign. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 121 – A communication was received from the Director of Emergency Services requesting approval of Usage Agreement with Fulton County. Referred to the Committee on County Properties, the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 122 – A communication was received from the Director of Office for the Aging requesting discussion on current mileage rate for Home Delivered Meals drivers. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 123 – A communication was received from the Director of Office for the Aging requesting amendment to Resolution No. 59 of 2022 decreasing hourly rate for EISEP and Unmet Needs. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 124 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment due to increase in Sales Tax. Referred to the Committee on Ways & Means.

No. 125 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in Sheriff's Department. Referred to the Committee on Ways & Means.

No. 126 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in the 2021 budget. Referred to the Committee on Ways & Means.

No. 127 – A communication was received from the County Property Agent requesting restoration of taxes in the Village of Mohawk. Referred to the Committee on Ways & Means.

No. 128 – A communication was received from the County Attorney requesting amendment to Resolution No. 74 of 2022 concerning Indigent Legal Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 129 – A communication was received from the Budget Officer/Purchasing Agent requesting increase of bus runs for the Summer Youth Program. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 130 – A communication was received from the Budget Officer/Purchasing Agent requesting to closeout jail project and transfer funds. Referred to the Committee on County Properties, the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 131 – A communication was received from the Budget Officer/Purchasing Agent requesting an appropriation of funds. Referred to the Committee on Ways & Means.

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

On motion of Mr. Ackerman, seconded by Mr. Stephens, Resolution No. 77 – Resolution No. 83 were handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Malta (1).

**Consent Agenda:**

- 77 NAT. RESOURCES: Adopting Annual Report of Weights and Measures
- 78 HUMAN RES.: Adopting Annual Report of Herkimer County Mental Health Services
- 79 WAYS & MEANS: Adopting Annual Report of the Real Property Tax Service Agency
- 80 WAYS & MEANS: Adopting Annual Report of Purchasing Agent
- 81 HIGHWAYS: Adopting Annual Report of County Superintendent of Highways
- 82 ADMIN./VETS. AFFAIRS: Adopting Annual Report of County Clerk
- 83 NAT. RESOURCES: Appointing member to Regional Fish & Wildlife Management Board

The Chairman continued with the Regular Agenda.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 84 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing reimbursement for Professional Liability Insurance to Mental Health Consultant was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 85 sponsored by the Committee on Ways & Means amending Resolution No. 342 of 2021 authorizing payment of dues for municipal officers and employees during the year 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Weakley, seconded by Mr. Schrader, Report and Resolution No. 86 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Resolution No. 59 of 2022 concerning services in connection with the Expanded In-Home Services for the Elderly Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 87 sponsored by the Committee on Highways and the Committee on Ways & Means awarding bid for the roof replacement in Highways and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Against: None.                      Absent: Malta (1).

On motion of Mr. Swartz, seconded by Mr. Donley, Report and Resolution No. 88 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 (16).                      Against: None.                      Absent: Malta (1).

Chairman Bono dispensed with the regular session to welcome the students in attendance who are participating in the Cornell Cooperative Extension Government Intern Program and asked them to introduce themselves and the school districts they represented. Chairman Bono also asked the County Attorney to give a brief description of the difference between a voice vote and a roll call vote.

The Chairman continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 89 sponsored by the Committee on Highways and the Committee on Ways & Means appropriating funds in connection with county snow removal contracts was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Against: None. Absent: Malta (1).

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 90 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Resolution No. 324 of 2019 accepting grant from Division of Criminal Justice Services for Herkimer County District Attorney's Office was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Malta (1).

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 91 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving utilization of grant funding to upgrade Zetron MAX-Call Taker 9-1-1 Telephone System and Software was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Malta (1).

On motion of Mr. Donley, seconded by Mr. Ackerman, Report and Resolution No. 92 sponsored by the Committee on County Properties, the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing a Tower Usage Agreement with Fulton County in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Malta (1).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 93 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing transfer of funds in Sheriff's Department was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Malta (1).

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 94 sponsored by the Committee on Ways & Means authorizing transfer of funds in the 2021 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Malta (1).

On motion of Mr. Campione, seconded by Mr. Russell, Report and Resolution No. 95 sponsored by the Committee on Ways & Means amending 2021 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Malta (1).

On motion of Mr. Keeler, seconded by Mr. Schrader, Report and Resolution No. 96 sponsored by the Committee on Ways & Means directing restoration of parcel in the Village of Mohawk to the taxable portion of the assessment roll was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Ackerman, seconded by Mr. Shaw, Report and Resolution No. 97 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Resolution No. 74 of 2022 amending contract for oversight of Indigent Representation and approval of office space was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 98 sponsored by the Committee County Properties, the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing close of Project 5-4, New Jail Construction and transfer of funds was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Hollum, seconded by Mr. Ackerman, Report and Resolution No. 99 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing to submit a grant application to the New York State Office of Community Renewal Community Development Block Grant – CV (COVID Response) Program was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Russell, seconded by Mr. Campione, Report and Resolution No. 100 sponsored by the Committee on Ways & Means adopting Fund Balance Policy was handed up; voted on and adopted by voice vote:

For: Ayes (16).                      Against: None.                      Absent: Malta (1).

On motion of Mr. Gaworecki, seconded by Mr. Russell, Report and Resolution No. 101 sponsored by the Committee on Ways & Means establishing a Health Insurance Reserve and appropriating funds was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Against: None.                      Absent: Malta (1).

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

At 7:16 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, April 6, 2022 at 2:00 p.m.

Jennifer L. Williams, Deputy Clerk



## **HERKIMER COUNTY LEGISLATURE**

No. 77

### **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 2021, 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 2021.

Dated: March 16, 2022.



## **HERKIMER COUNTY LEGISLATURE**

No. 78

### **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 2021 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 2021 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2021.



Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 79

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

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

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of the Real Property Tax Service Agency submitting the 2021 Annual Report of the Herkimer County Real Property Tax Service Agency, respectfully reports that we have examined the said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the 2021 Annual Report of the Herkimer County Real Property Tax Service Agency hereby is adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2021.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 80

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PURCHASING AGENT FOR THE YEAR 2021**

**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, 2021, 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 2021 be adopted and filed with the Herkimer County Legislature.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 81

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY SUPERINTENDENT OF HIGHWAYS

**Sponsored by: Committee on Highways**

WHEREAS, your Committee on Highways, to which was referred the Annual Report for 2021 of the County Highway Superintendent, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2021 Annual Report of the County Superintendent of Highways be adopted and placed on file with the Herkimer County Legislature for the year 2021.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 82

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY CLERK

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

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of Sylvia M. Rowan, County Clerk, pertaining to monies received by her office for the period ending December 31, 2021 respectfully reports and offers the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Clerk for the year 2021 be adopted and placed on file with the Herkimer County Legislature for the year 2021.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 83

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

**Sponsored by: Committee on Natural Resources**

WHEREAS, by letter dated February 25, 2022 from Vincent J. Bono, Chairman, Herkimer County Legislature, your Committee has been advised that an appointment of Alvin H. Montana II of Dolgeville, New York, be made as sportsman representative to the Regional Fish and Wildlife Management Board to fill a vacancy presently existing on said Board, which term shall expire on December 31, 2023; now, therefore, be it

RESOLVED, that the appointment of Alvin H. Montana II of Dolgeville, New York, as sportsman representative to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, be and hereby is, ratified and confirmed, which term shall expire on December 31, 2023; 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 Alvin H. Montana II.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 84

### **REPORT AND RESOLUTION AUTHORIZING REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE TO MENTAL HEALTH CONSULTANT**

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

WHEREAS, Dr. Vinay Patil is a psychiatrist under contract to provide services to Herkimer County Mental Health Services; and

WHEREAS, by letter dated February 9, 2022, Kristen Snyder-Branner, Director of Community Services, has requested that Dr. Patil be reimbursed for a sum not to exceed \$1,500 annually for professional liability insurance in connection with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and

WHEREAS, your Committees have taken this matter under consideration and recommend said reimbursement; now, therefore, be it

RESOLVED, that Dr. Vinay Patil, be and he hereby is, authorized to receive reimbursement, upon receipt of proper documentation for a sum not to exceed \$1,500 annually for professional liability insurance associated with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; 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: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 85

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 342 OF 2021 AUTHORIZING PAYMENT OF DUES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2022**

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

WHEREAS, on December 15, 2021 this Legislature adopted Resolution No. 342 authorizing payment of dues for municipal officers and employees during the year 2022; and

WHEREAS, by communication dated February 7, 2022, from Garry Murphy, Director of Probation, request is made to increase annual membership fee for the NY Association of Pretrial Service Agencies from \$30 to \$50, and further requests said Resolution No. 342 of 2021 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 342 adopted on December 15, 2021 be amended under Probation Director, Probation Supervisor (1) and Probation Officer (1), to increase the annual membership for the NY Association of Pretrial Service Agencies from \$30 to \$50; and, be it further

RESOLVED, that in all other respects Resolution No. 342 of 2021 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 Probation.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 86

### REPORT AND RESOLUTION AMENDING RESOLUTION NO. 59 OF 2022 CONCERNING SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

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

WHEREAS, pursuant to resolutions previously adopted, contracts were authorized between the Herkimer County Office for the Aging and At Home Care, Inc., the Department of Social Services, Home Aide Services for Central Adirondacks (HASCA), Home Health Care Partners, Resource Center for Independent Living (RCIL), Plan It Staffing, and U.S. Care Systems for said contractors to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs Programs; and

WHEREAS, on February 16, 2022, this Legislature adopted Resolution No. 59 concerning services in connection with the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs Programs; and

WHEREAS, by communication dated February 24, 2022, from Kathy L. Fox, Director of the Office for the Aging, request is being made from Plan It Staffing to decrease the hourly rate of \$22.95 for 2022-2023 program year to \$22.40; now, therefore, be it

RESOLVED, that contracts entered into between the Herkimer County Office for the Aging and Plan It Staffing for the Expanded In-Home Services for the Elderly Program (EISEP) and Unmet Needs Programs be amended changing the hourly rate from \$22.95 for 2022-2023 program year to \$22.40; and, be it further

RESOLVED, that all other respects, Resolution No. 59 of 2022 shall remain in full force and effect; and, be it further

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

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 87

### REPORT AND RESOLUTION AWARDING BID FOR THE ROOF REPLACEMENT IN HIGHWAYS AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated February 22, 2022, Mark Nagele, Superintendent of Highways, has advised that bids were received for the replacement of the roof on the Highway garage; and

WHEREAS, by letter dated February 24, 2022, from Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that six (6) bids were opened and read aloud on February 17, 2022; and

WHEREAS, the six (6) bids have been reviewed by Nelson Associates Architectural Engineering for compliance with the bid specifications and a recommendation for award has been received; and

WHEREAS, it is the recommendation of the Budget Officer/Purchasing Agent and your Committees that the bid be awarded to J & B Installations, P.O. Box 188, 732 Visions Drive, Skaneateles Falls, NY 13153 in the amount of \$691,400; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the replacement of the roof on the Highway garage to J & B Installations, P.O. Box 188, 732 Visions Drive, Skaneateles Falls, NY 13153, in the amount of \$691,400; and, be it further

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

\$691,400	From: A909, Fund Balance
	To: H1620.40000, Buildings, Proj: 16-2

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Superintendent of Highways, and J & B Installations.

Dated: March 16, 2022.



# HERKIMER COUNTY LEGISLATURE

No. 88

## 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 the letter of Mark Nagele, County Superintendent of Highways, dated February 8, 2022, 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 2022 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 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 project involved in the Capital Construction Program, to be funded as listed:

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
417	Ashe Road, CR246, BIN 3307720 Over Crum Creek, Town of Manheim	Engineering/Design	\$250,000.00

and, be it further

RESOLVED, that this project will be funded through Federal Aid, Marchiselli and CHIPS pending sufficient funding; 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: March 16, 2022.



# HERKIMER COUNTY LEGISLATURE

No. 89

## REPORT AND RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH COUNTY SNOW REMOVAL CONTRACTS

**Sponsored by: Committee on Highways**

## **Committee on Ways and Means**

WHEREAS, by letter dated February 24, 2022, Sheri Ferdula, Herkimer County Budget Officer, has advised this Legislature that due to the increase in sales tax for 2021, an additional appropriation of funding will be necessary to satisfy the County snow contracts, funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation be made as follows:

\$361,655.52 From: DM909, Road Maintenance, Fund Balance  
To: D5142.44000, County Road, County Snow

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: March 16, 2022.



## **HERKIMER COUNTY LEGISLATURE**

No. 90

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 324 OF 2019 ACCEPTING GRANT FROM DIVISION OF CRIMINAL JUSTICE SERVICES FOR HERKIMER COUNTY DISTRICT ATTORNEY'S OFFICE**

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

WHEREAS, on November 13, 2019 this Legislature adopted Resolution No. 324 of 2019 accepting an Aid to Prosecution Grant from the Division of Criminal Justice Services for the Herkimer County District Attorney's Office; and

WHEREAS, said grant award was in the amount of \$30,200.00, and effective for the term October 1, 2019 to September 30, 2020; and

WHEREAS, by communication dated February 18, 2022, from Jeffrey Carpenter, Herkimer County District Attorney, request is being made to approve an extension to the Aid to Prosecution Grant with an end date of March 31, 2021 due to the pandemic with an increase of funds bringing the grant total to \$45,300; and

RESOLVED, that the Chairman of this Legislature is hereby authorized to e-sign the grant on behalf of the County of Herkimer with the New York State Division of Criminal Justice Services to approve an extension to the Aid to Prosecution Grant with an end date of March 31, 2021 due to the pandemic with an increase of funds bringing the grant total to \$45,300; and, be it further



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

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 91

### REPORT AND RESOLUTION APPROVING THE UTILIZATION OF GRANT FUNDING TO UPGRADE ZETRON MAX-CALL TAKER 9-1-1 TELEPHONE SYSTEM AND SOFTWARE

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

WHEREAS, by letter received February 22, 2022, from John J. Raymond, Director of Emergency Services, this Legislature is advised of a request to upgrade the Zetron MAX-Call Taker 9-1-1 telephone system and software at 911 by utilizing State Homeland Security Program Grant (SHSP-19) funding; and

WHEREAS, a quote was received from JPJ Electronics to upgrade new workstations, including computers, expanding the "sip" phone system and the purchase of additional licensing for the additional phones; and

WHEREAS, it is the recommendation of the Director of Emergency Services that the purchase be made through JPJ Electronics at a cost of \$16,440.00; and

WHEREAS, by letter dated February 24, 2022, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested a transfer of funds to complete the upgrade to the 911 phone system, funds have been verified and are available for the following:

\$18,656.25                   **From:** A3020A.44000, Em. Mgmt., HSG, Contracted Services,  
Proj: EM02-13

**To:** A3020A.25000, Em. Mgmt., HSG, Other Equip.,  
Proj: EM02-13

now, therefore, be it

RESOLVED, that this Legislature approves the request to upgrade the Zetron MAX-Call Taker 9-1-1 telephone system and software at 911 through JPJ Electronics at a cost of \$16,440.00, by utilizing State Homeland Security Program Grant (SHSP-19) funding; and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document; 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: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 92

### REPORT AND RESOLUTION AUTHORIZING A TOWER USAGE AGREEMENT WITH FULTON COUNTY IN EMERGENCY SERVICES

**Sponsored by: Committee on County Properties  
Committee on Public Safety/Emergency Management  
Committee on Ways & Means**

WHEREAS, by letter dated February 22, 2022 from John Raymond, Director of Emergency Services, request is being made to enter into an agreement with Fulton County Emergency Services for usage of the Aney Hill Communications Tower; and

WHEREAS, Fulton County Emergency Services agrees to reimburse the County \$2,600 in 2022, based on half of the tower site's electric cost which will be reviewed annually; and

WHEREAS, the agreement allows for shared repair and maintenance costs with equipment used by both counties; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to sign an agreement with Fulton County for \$2,600 for reimbursement of electrical costs at the Aney Hill Communications Tower which will be reviewed annually and shared repairs and maintenance costs with equipment used by both counties; 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 Fulton County Director of Emergency Services.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 93

### REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE SHERIFF'S DEPARTMENT

**Sponsored by: Committee on Public Safety/Emergency Management  
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 February 24, 2022, submitting a request for a transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

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

**Transfer:**

\$19,250

**From:** A3020A.42100, Em. Mgmt., HSG, Telephone,  
Proj: EM02-15

**To:** A3110A.42100, HSG, Telephone, Proj: SH21-1

and, be it further

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

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 94

### REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE 2021 BUDGET

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



Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 96

### **REPORT AND RESOLUTION DIRECTING RESTORATION OF PARCEL IN THE VILLAGE OF MOHAWK TO THE TAXABLE PORTION OF THE ASSESSMENT ROLL**

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

WHEREAS, by Resolution No. 209 of 2014, this Legislature determined that there was no practical method to enforce the collection of a delinquent tax lien against premises located at W. Main St in the Village of Mohawk, having Tax Map No. 120.47-1-78, and further directed the enforcing officer to issue a certificate of prospective cancellation for that parcel; and

WHEREAS, since that time a search of Department of Environmental Conservation databases has revealed that all underground and above ground tanks have been removed; and

WHEREAS, by letter dated February 14, 2022, from Jennifer Casey, County Property Agent, she has requested restoration of the parcel to the taxable portion of the assessment roll; now, therefore, be it

RESOLVED, that for the above described reasons, the premises located at W. Main St in the Village of Mohawk, now having Tax Map No. 120.47-1-78, shall be restored to the taxable portion of the assessment roll; and, be it further

RESOLVED, that the enforcing officer is hereby directed to issue a certificate of restoration setting forth the relevant facts with the Assessor and County Director of Real Property Tax Services; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, the Assessor for the Village of Mohawk, and Director of Real Property Tax Services.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 97

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 74 OF 2022 AMENDING CONTRACT FOR OVERSIGHT OF INDIGENT REPRESENTATION AND APPROVAL OF OFFICE SPACE**

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

WHEREAS, Resolution No. 17 of 2020 approved a contract with Keith D. Bowers, dba Enhanced Representation, Inc., to provide services in connection with indigent representation improvements; and

WHEREAS, on February 16, 2022 this Legislature adopted Resolution No. 74 of 2022 amending the contract for oversight of indigent representation and approval of office space; and

WHEREAS, by letter dated February 25, 2022 from Lorraine Lewandrowski, County Attorney, this legislature has been notified of a communication from Mr. Bowers requesting an amendment to the lease agreement for office space at 401 East German Street, Herkimer, New York to house a Resource Center for the Assigned Counsel Program to change from a cost not to exceed \$1,200 per month inclusive of utilities to a cost not to exceed \$1,200 per month plus utilities; and

WHEREAS, Mr. Bowers' communication further requests that an amendment be made authorizing the Chairman to execute an amended contract with Enhanced Representation, Inc., retroactively to April 1, 2020 setting annual compensation paid to Enhanced Representation, Inc. to be in accordance with the annual compensation approved by ILS and that such annual compensation be modified April 1 of each subsequent year as approved by ILS; and

WHEREAS, the Indigent Legal Services Grant Program has approved the cost for the lease within the grant budget and will reimburse the County at 100% for both; now, therefore, be it

RESOLVED, that Resolution No. 74 adopted on February 16, 2022 be amended for a lease agreement not to exceed \$1,200 per month plus utilities subject to County Attorney approval; and, be it further

RESOLVED, that Resolution No. 74 of 2022 be further amended to authorize the Chairman to execute an amended contract with Enhanced Representation, Inc., retroactively to April 1, 2020 setting annual compensation paid to Enhanced Representation, Inc. to be in accordance with the annual compensation approved by ILS and that such annual compensation be modified April 1 of each subsequent year as approved by ILS; and, be it further

RESOLVED, that all other respects Resolution No. 74 of 2022 shall remain in full force and effect; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the New York State Office of Indigent Legal Services, Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, and Keith D. Bowers, dba Enhanced Representation, Inc.

Dated: March 16, 2022.



**HERKIMER COUNTY LEGISLATURE**

No. 98

**REPORT AND RESOLUTION AUTHORIZING CLOSE OF PROJECT 5-4, NEW JAIL  
CONSTRUCTION AND TRANSFER OF FUNDS**

**Sponsored by: Committee on County Properties  
Committee on Public Safety/Emergency Management  
Committee on Ways & Means**



RESOLVED, that the Chairman of the Legislature is hereby authorized to submit a grant application on behalf of the County in an amount not to exceed \$500,000 to the OCR; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the Herkimer County IDA for the implementation of the Project, all such documents to be subject to review and approval by the County Attorney; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project; and, be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Executive Director of the Herkimer County Industrial Development Agency.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE

No. 100

### REPORT AND RESOLUTION ADOPTING FUND BALANCE POLICY

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

WHEREAS, the Government Finance Officers Association recommends that governments establish a policy on the level of unassigned fund balance that should be maintained in the General Fund; and

WHEREAS, the Governmental Accounting Standards Board issued Statement 54, *Fund Balance and Governmental Fund Type Definitions* in 2011 affecting County financials; and

WHEREAS, this Legislature has developed a Fund Balance Policy to maintain adequate fund balance levels, provide flexibility and mitigation of current and future risks, to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings; now, therefore, be it

RESOLVED, that the attached Herkimer County Fund Balance Policy be and hereby is adopted as an official policy of Herkimer County.

Dated: March 16, 2022.



## HERKIMER COUNTY LEGISLATURE



**REPORT AND RESOLUTION ESTABLISHING A HEALTH INSURANCE RESERVE  
AND APPROPRIATING FUNDS**

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

WHEREAS, there are sufficient funds available to establish a Reserve Fund as a safety net for years where unanticipated health insurances expenses may exceed budgeted amounts; now, therefore, be it

RESOLVED, this Legislature does hereby establish Reserve Fund A889T, Health Insurance Reserve, to be used to offset deficits in the General Fund, County Road Fund, and Road Maintenance Fund health insurance budgets; and, be it further

RESOLVED, that at the close of each budget year, the total deficiency of the General Fund, County Road Fund, and Road Maintenance Fund health insurance accounts will be appropriated from the reserve to General Fund balance, and any surplus amounts will be appropriated from General Fund balance to the A889T reserve with the total balance in the reserve being capped at \$3,000,000; and, be it further

RESOLVED, the Legislature of Herkimer County approves an appropriation of funds and the creation of a Reserve Account in the 2021 Budget as follows:

\$3,000,000	From: A909, Fund Balance
	To: A889T, Health Insurance Reserve

and, be it further

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

Dated: March 16, 2022.