

MINUTES
Herkimer County Legislature
Second Quarter – Fifth Day
Wednesday, June 8, 2022
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:02 p.m.

Chairman Bono called on Legislator Gregory Malta, Sr. 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: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Absent: None.

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 May 18, 2022. There were none, and the Chairman ordered them approved.

Chairman Bono dispensed with the regular session to allow for a few presentations.

Chairman Bono called on Legislator Mark Gaworecki to present a proclamation. Mr. Gaworecki read the proclamation which proclaimed “June as Dairy Month” in Herkimer County and introduced this year’s new Dairy Ambassador, Ava Frasier of Little Falls and Junior Dairy Ambassadors Julia Frasier of Little Falls and Dakota DesJardins of Little Falls. Dairy Ambassador Ava Frasier thanked the Legislature for the proclamation and explained how milk is a great way to refuel. Ava also explained how they will be spending the year promoting dairy in Herkimer County.

Chairman Bono then called on Legislator Peter Manno to present a proclamation. Mr. Manno read the proclamation which proclaimed June 9, 2022 as “HCCC Men’s Baseball National Championship Day” in Herkimer County. Legislator Russell stated how proud the Legislature was of the players and coaches and how well deserved it was. Donald Dutcher, Director of Athletics, thanked the Legislature for the proclamation and introduced the players and assistant coach.

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. 192 – A communication was received from the Adirondack North Country Association expressing thanks to the Legislature. Filed.

No. 193 – A communication was received from Kathy Wright, Director of Information Services expressing thanks to the Legislature. Filed.

No. 194 – A communication was received from the Ilion Free Library expressing thanks to the Legislature. Filed.

No. 195 – A communication was received from State Parks, Recreation and Historic Preservation advising of Oak Hill Cemetery being listed on National Register. Filed.

No. 196 – A communication was received from the County Clerk advising of Recording Clerk position. Filed.

No. 197 – A communication was received from the County Attorney submitting report of pending litigation. Filed.

No. 198 – A communication was received from Capital District OTB submitting financial report for November 2021, January 2022 and February 2022. Filed.

No. 199 – A communication was received from Capital District OTB submitting Annual Report 2020 and 2021. Filed.

No. 200 – A communication was received from the Commissioner of Social Services submitting 2021 Annual Report. Referred to the Committee on Human Resources.

No. 201 – A communication was received from the County Sheriff submitting 2021 Annual Report. Referred to the Committee on Public Safety & Emergency Management.

No. 202 – A communication was received from the Director of Public Health submitting 2021 Annual Report. Referred to the Committee on Human Resources.

No. 203 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with additional funding in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 204 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with receipt of grant funding in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 205 – A communication was received from the Budget Officer/Purchasing Agent requesting acceptance of a Cost of Living Adjustment and to amend the budget in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 206 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment due to a Cost of Living Adjustment increase in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 207 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with additional funding for the CHIPS program in Highways. Referred to the Committee on Ways & Means.

No. 208 – A communication was received from the Highway Superintendent requesting amendment of Project #417. Referred to the Committee on Highways.

No. 209 – A communication was received from the Highway Superintendent requesting increase in amount for Project #412. Referred to the Committee on Highways.

No. 210 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of contract for asbestos monitoring in Highways. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 211 – A communication was received from the Budget Officer/Purchasing Agent requesting a change order for Highway roof project. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 212 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation in Highways. Referred to the Committee on Ways & Means.

No. 213 – A communication was received from the Personnel Officer requesting amendment to the Part Time Salary Schedule. Referred to the Committee on Ways & Means.

No. 214 – A communication was received from the Budget Officer/Purchasing Agent requesting awarding bid for upgrade to the HVAC system in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 215 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to the IDA budget for CDBG funding. Referred to the Committee on Ways & Means.

No. 216 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in DSS. Referred to the Committee on Ways & Means.

No. 217 – A communication was received from the Solid Waste Authority submitting Resolutions adopted by the Solid Waste Authority and meeting minutes. Filed.

No. 218 – A communication was received from the Sheriff requesting Public Safety Mutual Aid agreement. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 219 – A communication was received from the Chief Executive Officer of the IDA requesting Public Hearing for CDBG project. Referred to the Committee on County Planning & Development.

No. 220 – A communication was received from the Democratic Election Commissioner advising of appointment of Deputy Commissioner. Filed.

No. 221 – A communication was received from the Budget Officer/Purchasing Agent requesting approval for deposit for boiler replacement at HCCC. Referred to the Committee on Ways & Means.

No. 222 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Upper Payment Limit. 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. Stephens, seconded by Mr. Gaworecki, Resolution No. 155 – Resolution No. 157 were handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

Consent Agenda:

- 155 HUMAN RES.: Approving Annual Report of the Social Services Department
- 156 HUMAN RES.: Approving Annual Report of Public Health Nursing Service
- 157 PUB. SFTY./ EMER. MGMT.: Approving Annual Report of the Sheriff



HERKIMER COUNTY LEGISLATURE

No. 155

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF SOCIAL SERVICES DEPARTMENT

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report for 2021 of the Department of Social Services, 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 Department of Social Services be adopted and placed on file with the Herkimer County Legislature for the year 2021.

Dated: June 8, 2022.



HERKIMER COUNTY LEGISLATURE

No. 156

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF PUBLIC HEALTH NURSING SERVICE

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report for 2021 of the Herkimer County Public Health Nursing Service, 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 Public Health Nursing Service be adopted and placed on file with the Herkimer County Legislature for the year 2021.

Dated: June 8, 2022.



HERKIMER COUNTY LEGISLATURE

No. 157

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF THE SHERIFF

Sponsored by: Committee on Public Safety and Emergency Management

WHEREAS, your Committee on Public Safety & Emergency Management, to which was referred the communication from the Herkimer County Sheriff submitting the 2021 Annual Report of the Sheriff's Office, respectfully reports that we have examined said report, recommend that it be adopted and offer the following Resolution:

RESOLVED, that the Annual Report of the Sheriff's Office is hereby adopted and that a copy thereof be placed on file with the Herkimer County Legislature for the year 2021.

Dated: June 8, 2022.

The Chairman continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Shaw, Report and Resolution No. 158 sponsored by the Committee on Highways and the Committee on Ways & Means concerning order on contract for roof replacement at the Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 158

REPORT AND RESOLUTION CONCERNING CHANGE ORDER ON CONTRACT FOR ROOF REPLACEMENT AT THE HIGHWAY DEPARTMENT

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

WHEREAS, by Resolution No. 87 of 2022, this Legislature awarded a contract to J & B Installations, P.O. Box 188, 732 Visions Drive, Skaneateles Falls, NY 13153 in the amount of \$691,400 for the replacement of the roof on the Highway garage; and

WHEREAS, your Committees have been informed by letter dated May 25, 2022 from Sheri A. Ferdula, Budget Officer, that the County has been notified that the original materials included in the bid will not be available and the contractor has found an acceptable substitution that will increase the cost of the contract by \$1,067.00; and

WHEREAS, your Committees have reviewed said letter concerning said change order and recommend acceptance of same; now, therefore, be it

RESOLVED, that the contract entered into pursuant to Resolution No. 87 of 2022 with J & B Installations, for the replacement of the roof on the Highway garage is hereby increased in the amount of \$1,067.00 bringing the total contract amount from \$691,400.00 to \$692,467.00; and, be it further

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

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

Dated: June 8, 2022.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 159 sponsored by the Committee on Ways & Means authorizing appropriation of funds was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 159

REPORT AND RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated May 25, 2022, submitting a request for appropriation of funds to contract with Arctic Enterprises, Inc., for asbestos monitoring during the removal process for the new Highway roof, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said appropriation be made; and

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

RESOLVED, that an appropriation be made as follows:

\$8,500	From: A909, General Fund
	To: H1620.40000, Buildings, Capital, Project 16-2

and, be it further

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

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

Dated: June 8, 2022.

On motion of Mr. Donley, seconded by Mr. Shaw, Report and Resolution No. 160 sponsored by the Committee on Highways amending Resolution No. 137 of 2021 approving

projects under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 160

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 137 OF 2021 APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 137 of 2021, this Legislature approved the use of County Road Fund monies for Project No. 412, North Winfield Road, CR119, in the amount of \$850,000; and

WHEREAS, by letter dated May 12, 2022, Mark A. Nagele, P.E., Herkimer County Highway Superintendent, has advised that additional funds are required for this project, and he has requested an increase in the appropriated amount to \$1,200,000; now, therefore, be it

RESOLVED, that Resolution No. 137 of 2021 is hereby amended to increase the estimated cost for the project to \$1,200,000, and that County Road Fund monies in that amount are hereby approved for that project; 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: June 8, 2022.

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 161 sponsored by the Committee on Highways authorizing implementation, and funding in the first instance of 100% of the Federal Aid and State Marchiselli Program Aid eligible costs, of a transportation Federal-Aid Project was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Abstain: Gaworecki (1).

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 161

REPORT AND RESOLUTION AUTHORIZING IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL AID AND STATE MARCHISELLI PROGRAM AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT

Sponsored by: Committee on Highways

WHEREAS, a Project for the Replacement of the Ashe Road, CR246 Bridge Over Crum Creek (BIN 3307720), Town of Manheim, Herkimer County, PIN 2754.64 (“the Project”), Project No. 417 is eligible for funding under the Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Herkimer desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the design and ROW phases of the Project; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above-subject project; and, be it further

RESOLVED, that the Herkimer County Legislature hereby authorizes the County of Herkimer to pay in the first instance 100% of the federal and non-federal share of the cost of the Project; or portions thereof; and, be it further

RESOLVED, that the sum \$250,000.00 has been appropriated in Resolution No. 88 of 2022 from the County Road Fund and made available to cover the cost of participation in the above phases of the project; and, be it further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Herkimer County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the department thereof; and, be it further

RESOLVED, that the Chairman of the Legislature of the County of Herkimer be and is hereby authorized to execute all necessary agreements, and the Herkimer County Superintendent of Highways is hereby authorized to execute all necessary certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Herkimer with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible project costs and all project costs within appropriations therefore that are not so eligible; and, be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, be it further

RESOLVED, this Resolution shall take effect immediately; 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: June 8, 2022.

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 162 sponsored by the Committee on Ways & Means amending budget in connection with additional chips funds for 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 162

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH ADDITIONAL CHIPS FUNDS FOR 2022

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 15, 2022 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2022 Budget in connection with the receipt of additional CHIPS funds for 2022; now, therefore, be it

RESOLVED, that the 2022 Herkimer County Budget is hereby amended as follows:

D9552.3501, Consolidated Highway Improvements	From: \$5,034,137
	To: \$6,450,532
D9552.90200, Provision for Construction	From: \$5,000,000
	To: \$6,416,395

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: June 8, 2022.

On motion of Mr. Schrader, seconded by Mr. Ackerman, Report and Resolution No. 163 sponsored by the Committee on Ways & Means amending Resolution No. 296 of 2021 was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 163

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 296 OF 2021

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 269 of 2021 adopted the hourly salary schedule; and

WHEREAS, by letter dated May 13, 2022, Steven Billings, Personnel Officer, requests to amend the hourly salary schedule to add the title of Computer Programmer at an hourly rate of \$33.29 in Account A1680; and

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

RESOLVED, that the hourly salary schedule be amended to add the title of Computer Programmer at an hourly rate of \$33.29 in Account A1680; and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 164 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing contract for upgrade to HVAC system at the Aney Hill Communications Tower for Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 164

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR UPGRADE TO HVAC SYSTEM AT THE ANEY HILL COMMUNICATIONS TOWER FOR EMERGENCY SERVICES

Sponsored by: Committee on Public Safety/Emergency Management

Committee on Ways and Means

WHEREAS, by letter dated May 16, 2022, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that requests for proposals were received for an upgrade to the HVAC system at the Aney Hill Communications Tower for Emergency Services; and

WHEREAS, letter further advises it is the recommendation of John Raymond, Director of Emergency Services, that the contract be awarded to the lowest proposer, Van Rensselaer Management Inc., PO Box 215, Rensselaer, NY 12144, the proposal includes \$22,721.50 in materials and \$6,575 in labor, for a total of \$29,296.50; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Van Rensselaer Management Inc for an upgrade to the HVAC system at the Aney Hill Communications Tower, for a total of \$29,296.50, with \$22,721.50 in materials and \$6,575 in labor; 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 Van Rensselaer Management Inc.

Dated: June 8, 2022.

On motion of Mr. Schrader, seconded by Mr. Gaworecki, Report and Resolution No. 165 sponsored by the Committee on Ways & Means amending 2022 budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 165

REPORT AND RESOLUTION AMENDING 2022 BUDGET

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 16, 2022 from Sheri A. Ferdula, Budget Officer, your Committee is advised that a budget amendment is necessary in the 2022 budget to adjust for payments through the end of the year in connection with Community Development Block Grants; now, therefore, be it

RESOLVED, that the 2022 Herkimer County Budget is amended as follows:

Revenue Account:	A6420.4789C, IDA, Federal Aid, CDGB	From:	\$0
		To:	\$3,800

Expense Account: A6420.40100, IDA, Other

From: \$0
To: \$3,800

and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Weakley, seconded by Mr. Shaw, Report and Resolution No. 166 sponsored by the Committee on Ways & Means authorizing transfer of funds in the Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 166

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE DEPARTMENT OF SOCIAL SERVICES

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 May 16, 2022, submitting a request for a transfer of funds due to a placement in the New York State School for the Deaf effective September 2021, 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:

\$24,308 From: A6109.40000, Family Assistance, Contractual
 To: A6119B.40000, Committee on Special Ed., Contractual

and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 167 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant and amending budget for Healthy Families Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 167

REPORT AND RESOLUTION ACCEPTING GRANT AND AMENDING BUDGET FOR HEALTHY FAMILIES PROGRAM

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

WHEREAS, by letter dated May 9, 2022, Christina Cain, Director of Public Health, has requested renewal of the Healthy Families New York State Office of Children and Family Services Grant, which provides home visit services to pregnant women and their families, before and after delivery, to improve the health, development and wellness of infants, and has also requested authorization for the Chairman of the Legislature to sign said grant by electronic signature; and

WHEREAS, by letter dated May 9, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it will be necessary to amend the 2022 Herkimer County Budget in connection with the receipt of said grant in the amount of \$417,998 for the period of September 1, 2022 to August 31, 2023; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to complete by electronic signature a contract with the New York State Office of Children and Family Services to receive the 2022-23 Healthy Families Grant for Herkimer County in the amount of \$417,998 for the period of September 1, 2022 to August 31, 2023; and, be it further

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

Revenue Account:	A4189H-3401-PH13-16	From:	\$0
		To:	\$417,998

Expense Account:	A4189H-44000-PH13-16	From:	\$0
		To:	\$417,998

and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Hollum, seconded by Mr. Schrader, Report and Resolution No. 168 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding and amending budget in the Public Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 168

REPORT AND RESOLUTION ACCEPTING ADDITIONAL FUNDING AND AMENDING BUDGET IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, by letter dated May 9, 2022, from Christina Cain, Director of Public Health, she has requested this Legislature accept additional funding from the Emergency Preparedness Grant in the amount of \$2,000 for the period of July 1, 2021 through June 30, 2022; and

WHEREAS, by letter dated May 9, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2022 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the 2022 Herkimer County Budget is hereby amended as follows:

Revenue:

A4188.4403-PH01-19

From: \$50,099

To: \$52,099

Expenses:

A4188.10000-001-PH01-19

From: \$26,175

To: \$28,175

and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Russell, seconded by Mr. Gaworecki, Report and Resolution No. 169 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting Cost of Living Adjustment from the Office of Mental Health and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 169

REPORT AND RESOLUTION ACCEPTING COST OF LIVING FUNDING ADJUSTMENT FROM THE OFFICE OF MENTAL HEALTH AND AMENDING THE BUDGET

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

WHEREAS, by letter dated May 17, 2022 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised that the Mental Health Department has received additional COLA funding in the amount of \$2,742 from the Office of Mental Health, and requests that the Legislature approve the same; and

WHEREAS, by letter dated May 17, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that an Amendment to the 2022 Budget will be necessary to utilize the funding; now, therefore, be it

RESOLVED, that the Herkimer County Legislature accepts a COLA increase from the NYS Office of Mental Health in the amount of \$2,742; and, be it further

RESOLVED, that the 2022 Herkimer County Budget is hereby amended as follows:

A4322.3490, Contracted Mental Health, State Aid	From: \$1,804,343
	To: \$1,807,085
A4322.44000-352, Contracted Mental Health, Con't Agency	From: \$1,804,343
	To: \$1,807,085

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: June 8, 2022.

On motion of Mr. Ackerman, seconded by Mr. Keeler, Report and Resolution No. 170 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contract for Herkimer County Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 170

REPORT AND RESOLUTION AMENDING CONTRACT FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by Resolution No. 319 of 2021 this Legislature approved contracts for 2022 with various agencies to provide a variety of mental health services for county residents; and

WHEREAS, by letter dated May 18, 2022, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend the contract with Catholic Charities due to an increase in their Cost of Living Adjustment of \$22,275 in additional funding through the New York State Office of Mental Health, which is provided at the 100% state level; and

WHEREAS, by letter dated May 17, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that an Amendment to the 2022 Budget will be necessary to utilize the funding; now, therefore, be it

RESOLVED, that the 2022 Herkimer County Budget is amended as follows:

A4322.3490, Contracted Mental Health, State Aid	From: '\$1,807,085
	To: \$1,829,360
A4322.44000-352, Contracted Mental Health, Con't Agency	From: \$1,807,085
	To: \$1,829,360.

and, be it further

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

1. Catholic Charities
61 West Street
Ilion, NY 13357
For a contract amendment of \$552,000 to \$574,275

and, be it further

RESOLVED, that in all other respects, Resolution No. 319 of 2021 are hereby ratified and confirmed; and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 171 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing Herkimer County to enter into Public Safety Mutual Aid Agreement was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 171

REPORT AND RESOLUTION AUTHORIZING HERKIMER COUNTY TO ENTER INTO PUBLIC SAFETY MUTUAL AID AGREEMENT

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

WHEREAS, Section 119-o of the General Municipal Law permits municipal corporations to enter into agreements for the performance amongst themselves or between specific municipal corporations to perform certain respective functions, powers and duties on a cooperative or contract basis or for the provision of joint services; and

WHEREAS, by letter dated May 18, 2022, Sheriff Scott Scherer recommends and requests that this Legislature authorize the Chairman of the Herkimer County Legislature to sign a Public Safety Mutual Aid Agreement between the Town of Webb, Village of Herkimer, Town of Frankfort, Village of Frankfort, Village of Ilion, Village of Mohawk, Village of Dolgeville, City of Little Falls Police Departments, and Campus Security at Herkimer College; and

WHEREAS, said participation in response to requests for aid pursuant to the Public Safety Mutual Aid Agreement is voluntary, with no obligation to respond to requests for mutual aid and otherwise in compliance with requirements of General Municipal Law Section 119-o; now, therefore, be it

RESOLVED, that the Public Safety Mutual Aid Agreement is approved for a period of five years pursuant to General Municipal Law Section 119-o(2) (j); and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign the Public Safety Mutual Aid Agreement with the Town of Webb, Village of Herkimer, Town of Frankfort, Village of Frankfort, Village of Ilion, Village of Mohawk, Village of Dolgeville, City of Little Falls Police Departments, and Campus Security at Herkimer College; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Sheriff, County Attorney, Chief of the Herkimer Police Department, the Mayor of the Village of Herkimer, President of Herkimer County Community College, Director of Campus Safety at Herkimer County Community College, Town of Webb Police Department, Supervisor of the Town of Webb, Chief of the Town of Frankfort Police Department, Supervisor of the Town of Frankfort, Chief of the Village of Frankfort Police Department, Mayor of the Village of Frankfort, Chief of the Ilion Police Department, Mayor of the Village of Ilion, Chief of the Mohawk Police Department, Mayor of the Village of Mohawk, Chief of Police of the Dolgeville Police Department, Mayor of the Village of Dolgeville, Chief of Police of the Little Falls Police Department, and the Mayor of the City of Little Falls.

Dated: June 8, 2022.

On motion of Mr. Campione, seconded by Mr. Shaw, Resolution No. 172 sponsored by the Committee on Ways & Means approving standard work day and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 172

RESOLUTION APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

Sponsored by: Committee on Ways and Means

RESOLVED, that the Herkimer County Legislature hereby establishes the following as standard work days for elected and appointed officials to report days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy - mm/dd/yy)	Record of Activities Result	Not Submitted: (Check only if official did not submit their Record of Activities)
Appointed Officials								
Assistant County Atty.	7	Karen Mowers	████	████		01/01/22-12/31/23	22.12	

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Personnel Officer, and Principal Account Clerk in the Treasurer's Office.

Dated: June 8, 2022.

On motion of Mr. Schrader, seconded by Mr. Hollum, Resolution No. 173 sponsored by the Committee on County Planning & Development setting a Public Hearing in connection with an application for economic development assistance to the Office of Community Renewal was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 173

RESOLUTION SETTING A PUBLIC HEARING IN CONNECTION WITH AN APPLICATION FOR ECONOMIC DEVELOPMENT ASSISTANCE TO THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on County Planning & Development

WHEREAS, by letter dated June 2, 2022, from John J. Piseck, Chief Executive Officer of the Herkimer County Industrial Development Agency, this Legislature is advised of the proposed submission of a Community Development Block Grant Public Infrastructure program application in the amount of \$1,250,000 to support the construction of the Eastern Mohawk Valley Regional Water Transmission Main; and

WHEREAS, these CDBG grant funds will help to provide a sustainable water source alternative, whether primary or secondary, for five municipalities in Herkimer County including, the Villages of Herkimer, Ilion, and Frankfort, and the Towns of Herkimer and Schuyler; and

WHEREAS, it is necessary that a public hearing be held to hear public comment in regards to this application; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is authorized to execute all documents and certifications required as part of the submission of the application; and, be it further

RESOLVED, that a Public Hearing be held by the Committee on County Planning and Development on the 6th day of July, 2022 at 1:15 p.m., in the Legislature Chambers of the County Office Building in the Village of Herkimer, New York for the purpose of hearing public comment on the aforesaid application for economic development assistance to the Office of Community Renewal; and, be it further

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

Dated: June 8, 2022.

On motion of Mr. Russell, seconded by Mr. Manno, Report and Resolution No. 174 sponsored by the Committee on Ways & Means approving deposit for boiler replacement at Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 174

REPORT AND RESOLUTION APPROVING DEPOSIT FOR BOILER REPLACEMENT AT HERKIMER COUNTY COMMUNITY COLLEGE

Sponsored by: Committee on Ways & Means

WHEREAS, Resolution No. 344 of 2021 approved the replacement of key heating plant components for the Herkimer County Community College, in the amount of up to \$2,000,000 with up to 50% of the local share coming from Herkimer County and 50% from the State; and

WHEREAS, by letter dated June 6, 2022, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that an agreement has been reached with Trojan Energy Systems for an upgrade of Two (2) Cleaver Brooks 200HP Boilers with Power Flame Limpsfield LCN25 Burners mounted with a Autoflame MK8 combustion control system; and

WHEREAS, Trojan Energy Systems will require a 50% deposit totaling \$315,562.50 to start production of said boilers; now, therefore, be it

RESOLVED, that the Chairman be authorized to sign for a payment of \$315,562.50 to Trojan Energy Systems on behalf of Herkimer County Community College; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, President of Herkimer County Community College, and Senior Vice President for Administration and Finance of Herkimer County Community College.

Dated: June 8, 2022.

On motion of Mr. Ackerman, seconded by Mr. Stephens, Report and Resolution No. 175 sponsored by the Committee on Ways & Means amending budget in connection with Upper Payment Limit was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 175

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH UPPER PAYMENT LIMIT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 7, 2022, from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that the Centers for Medicare & Medicaid Services (CMS) has approved a Medicaid State Plan Amendment that has authorized Upper Payment Limit (UPL) payments in New York; which applies to County operated free standing clinics which Herkimer County's Mental Health Clinic qualifies for; and

WHEREAS, by letter dated June 7, 2022 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the payment amount for Herkimer County is \$45,895.00, and in order to receive this amount, a local share of \$22,947.50 must be submitted to the New York State Department of Health, and that an amendment to the 2022 budget is necessary; now, therefore, be it

RESOLVED, that the 2022 Herkimer County Budget is hereby amended as follows:

A4320.3490, Mental Health, State Aid	From: \$422,192
	To: \$445,139.50
A4320.4490, Mental Health, Federal Aid	From: \$106,000
	To: \$128,947.50
A4320.46000, Mental Health, Miscellaneous Expense	From: \$400
	To: \$23,347.50

and, be it further

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

Dated: June 8, 2022.

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

At 7:25 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, July 6, 2022 at 2:00 p.m., with a Public Hearing on CDBG at 1:15 p.m.

Brittney R. Viscomi, Clerk