

MINUTES
Herkimer County Legislature
Fourth Quarter – First Day
Wednesday, October 5, 2022
2:00 p.m.

Public Hearing

The second (performance) Public Hearing to report project accomplishments relating to Economic Development Assistance from the Office of Community Renewal (OCR) for the \$50,000 award for Herkimer County Food Processing Study was called to order by Legislator Kurt Ackerman, Chairman of the County Planning & Development Committee, at 1:25 p.m. Legislator Ackerman asked the Clerk of the Legislature to call the roll of Legislators. The Clerk called the roll, the following answered: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Manno, Bono, Ackerman, Campione, Russell, Weakley (13). Quorum present. Legislator Ackerman asked the Clerk to read the Notice of Public Hearing. The Clerk read the Notice. Legislator Ackerman asked that any person wishing to speak to rise, state their name and address and limit comment to five minutes. There were no comments. The hearing was declared closed at 1:27 p.m.

Brittney R. Viscomi, Clerk
Herkimer County Legislature

LEGAL NOTICE

HERKIMER COUNTY
NOTICE OF PUBLIC HEARING

Herkimer County Legislature will hold a public hearing on October 5, 2022 at 1:25 p.m., in the Legislature Chambers, 109 Mary Street, Herkimer, NY, for the purpose of hearing public comments on Herkimer County's current Community Development Block Grant (CDBG) project: No. 528CP59-20, for the Herkimer County Food Processing Study in the amount of \$50,000. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefiting low/moderate income persons. The hearing will provide further information about the progress of the ongoing CDBG project. Comments related to the effectiveness of administration of the CDBG project will also be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The Legislature Chambers is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Brittney Viscomi, Clerk of the Legislature, at 315-867-1108 at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted until October 5, 2022 to:

Brittney Viscomi, Clerk
Herkimer County Legislature,
109 Mary Street, Suite 1310
Herkimer, NY 13350

Dated: September 26, 2022.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 2:10 p.m.

Chairman Bono called on Legislator Frederick J. Shaw, Jr., 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, Bono, Ackerman, Campione, Russell, Shaw, Weakley (15).

Absent: Swartz, Donley (2).

Chairman Bono dispensed with the regular session to allow for the presentation of a proclamation. Chairman Bono called on Bill Weakley, Chairman of the Committee on Human Resources to present the proclamation. Mr. Weakley read the proclamation which proclaimed the month of October as “Domestic Violence Awareness Month”. He presented the proclamation to Jackie Ward, Director of the Domestic Violence Program of Catholic Charities. Mrs. Ward expressed appreciation for the recognition and the support from the County for the Program. She gave statistics on the services they provide for victims of domestic violence in Herkimer County.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. 1) Maureen Damone, Newport – 94-C & Boralex; 2) Greg Sacco, Deerfield – Solar Power Farms. (Both speeches included with original minutes)

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 September 14, 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. 347 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 348 – A communication was received from State Parks, Recreation and Historic Preservation advising of H.N. Quackenbush Factory listed on National Register. Filed.

No. 349 – A communication was received from CABVI submitting thank you for donation in memory of Betty Johnson. Filed.

No. 350 – A communication was received from Capital District OTB submitting financial report for May, June, and July 2022. Filed.

No. 351 – A communication was received from the Director of Real Property Tax Services requesting purchase of software for the Real Property Department. Referred to the Committee on Ways & Means.

No. 352 – A communication was received from the Sheriff submitting Monthly Reports for February 2022 – August 2022. Referred to the Committee on Public Safety & Emergency Management.

No. 353 – A communication was received from the Highway Superintendent requesting discussion on CDL Training Provider. Referred to the Committee on Highways.

No. 354 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with System of Care Expansion and Sustainability Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 355 – A communication was received from the Director of Probation submitting 2022-2023 State Aid Plan. Referred to the Committee on Public Safety & Emergency Management.

No. 356 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule III in the Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 357 – A communication was received from the Budget Officer/Purchasing Agent requesting awarding of bid for Sodium Hypochlorite for Herkimer County Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 358 – A communication was received from the County Auditor submitting invoices for extradition expenses. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 359 – A communication was received from the Personnel Officer requesting amendment to Herkimer County Title VI Plan. Referred to the Committee on Ways & Means.

No. 360 – A communication was received from the Director of Public Health requesting contracts in connection with System of Care Grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 361 – A communication was received from the Commissioner of Social Services requesting acceptance of funding for New York State’s Rental Supplement Program (RSP). Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 362 – A communication was received from the Executive Director of the Youth Bureau requesting contracts with agencies for youth programs. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 363 – A communication was received from the Director of Community Services requesting contract to provide substance abuse services at the Herkimer County Correctional Facility. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 364 – A communication was received from the Budget Officer/Purchasing Agent requesting to create a new reserve account in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 365 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in the Mental Health Department due to an increase in state aid. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 366 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in the Mental Health Department due to an increase in state aid. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 367 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of a contract and down payment for boiler replacement project at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 368 – A communication was received from HCCC submitting Resolution for capital project for academic furnishings. Referred to the Committee on Education and the Committee on Ways & Means.

No. 369 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with receipt of grant funding in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 370 – A communication was received from the Personnel Officer requesting approval for reimbursement to county employees for flu shots administered by the Herkimer County Public Health Dept. Referred to the Committee on Ways & Means.

No. 371 – A communication was received from D’Arcangelo submitting 2021 Audit. Filed.

No. 372 – A communication was received from the Budget Officer/Purchasing Agent requesting approval of proposal for architectural and engineering services for renovation of the court facilities. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 373 – A communication was received from the Budget Officer/Purchasing Agent requesting approval for a purchase in the Highway Department and an amendment to the budget. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 374 – A communication was received from the County Attorney requesting Resolution for sale of parcels in a public auction. Referred to the Committee on County Properties.

No. 375 – A communication was received from the County Property Agent submitting listing of properties acquired by In Rem Procedures. Referred to the Committee on County Properties.

No. 376 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds in connection with In Rem auction. Referred to the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Legislator Johnson, Chairman of the County Properties Committee, gave an update that the next In Rem Auction will be held October 29th.

The Chairman continued with the Regular Agenda.

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 278 sponsored by the Committee on Public Safety & Emergency Management approving 2022/2023 Probation Plan was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 278

REPORT AND RESOLUTION APPROVING 2022/2023 PROBATION PLAN

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, your Committee on Public Safety/Emergency Management, to which was referred the 2022/2023 Probation Plan of the Herkimer County Probation Department, respectfully reports that we have examined the same, recommend the approval of said plan, and offer the following Resolution:

RESOLVED, that the 2022/2023 Probation Plan of the Herkimer County Probation

Department be approved and placed on file with the Herkimer County Legislature.

Dated: October 5, 2022.

On motion of Mr. Schrader, seconded by Mr. Shaw, Report and Resolution No. 279 sponsored by the Committee on Ways & Means amending budget in the Mental Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 279

REPORT AND RESOLUTION AMENDING BUDGET IN THE MENTAL HEALTH DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated September 14, 2022 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2022 Budget to reflect an increase in State Aid; now, therefore, be it

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

A4320.3490, Mental Health, State Aid	From: \$545,139.50
	To: \$603,472.50
A4320.44000, Mental Health, Contracted Services	From: \$160,478.00
	To: \$218,811.00

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: October 5, 2022.

On motion of Mr. Stephens, seconded by Mr. Hollum, Report and Resolution No. 280 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contracts for Herkimer County Mental Health Services and amending the budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 280

REPORT AND RESOLUTION AMENDING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, Resolution No. 319 of 2021, authorized contracts for Herkimer County Mental Health Services; and

WHEREAS, by letter dated September 14, 2022, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of requests to amend contracts due to an increase in state funding; and

WHEREAS, said contracts shall be supported at the 100% state aid level; and

WHEREAS, by letter dated September 14, 2022, from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2022 Budget to reflect additional funding from the State for the Herkimer County Mental Health Department; now, therefore, be it

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

Contracted Mental Health:

A4322.3490, Contracted Mental Health, State Aid	From: \$1,829,360
	To: \$1,878,828
A4322.44000-352, Contracted Mental Health, Cont. Svs	From: \$1,829,360
	To: \$1,878,828

and, be it further

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

1. Cornell Cooperative Extension
5657 State Route 5
Herkimer, NY 13350
From \$5,300 to \$5,400
2. ARC Herkimer
350 South Washington Street
Herkimer, NY 13350
From \$287,500 to \$292,118

3. Neighborhood Center
624 Elizabeth Street
Utica, NY 13501
From \$159,000 to \$164,250
4. Center for Family Life and Recovery
502 Court St., Suite 401
Utica, NY 13502
From \$214,250 to \$218,500
5. Upstate Cerebral Palsy Association
125 Business Park Drive
Utica, NY 13502
From \$562,000 to \$597,250

and, be it further

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

Dated: October 5, 2022.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 281 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving contract in connection with funding in Herkimer County Mental Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 281

REPORT AND RESOLUTION APPROVING CONTRACT IN CONNECTION WITH FUNDING IN HERKIMER COUNTY MENTAL HEALTH DEPARTMENT

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

WHEREAS, by letter dated September 14, 2022, Kristen Snyder-Branner, Director of Community Services, has advised of receipt of State funding in the amount of \$60,000 to provide substance abuse services to the Herkimer County Correctional Facility through a contract with the Beacon Center, 3354 Sheridan Drive, Amherst, NY 14233; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a contract with the Beacon Center, 3354 Sheridan Drive, Amherst, NY 14233, upon the above terms; 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 Beacon Center.

Dated: October 5, 2022.

On motion of Mr. Stephens, seconded by Mr. Campione, Report and Resolution No. 282 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means creating reserve account in STOP-DWI was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 282

REPORT AND RESOLUTION CREATING RESERVE ACCOUNT IN STOP-DWI

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

WHEREAS, Resolution No. 110 of 2022 created accounts for the Victim Impact Program; and

WHEREAS, by letter dated September 15, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that revenue is received when an offender is ordered to complete the program, and the revenue will be infused back in to expand services in the future; and

WHEREAS, said letter further requests the creation of a new reserve account, A889V Victim Impact Program; now, therefore, be it

RESOLVED, that a new reserve account, A889V Victim Impact Program, is created to house the revenues until they are needed, and the revenue and expense accounts for A3315B should be closed out to the reserve at the end of each year to allow any excess funds to be held for future use; and, be it further

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

Dated: October 5, 2022.

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 283 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing contracts for the Youth Programs for 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 283

REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR THE YOUTH PROGRAMS FOR 2022

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

WHEREAS, by letter dated September 16, 2022, from Regina Giacovelli, Executive Director of the Herkimer County Youth Bureau, requests that the Youth Bureau enter into contracts for 2022 with local agencies for the implementation of the Youth Development Programs; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts, subject to reimbursement from the State of New York, with the following agencies in the amounts listed:

Little Falls YMCA, School's Out Scholarship Program - \$ 8,058.00

Little Falls YMCA, Unsupervised Youth Alternatives - \$7,557.00

Little Falls Family YMCA, 15 Jackson Street, Little Falls NY, 13365

Catholic Charities of Herkimer County, Domestic Violence Program - \$5,958.00

Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357

Center for Family Life and Recovery, Short Term Prevention Services - \$6,257.00

Center for Family Life and Recovery, 502 Court Street, Suite 401, Utica, NY 13502

Juvenile Officer / School Resource Officer - \$2,500.00

Herkimer Police Department, 120 Green Street, Herkimer, NY 13350

Youth Sports programming - \$7,152.00

Arc Herkimer, 350 South Washington Street, Herkimer, NY 13350

Runaway and Homeless Youth (60% state funding, 20% agency match, 20% county match)

Catholic Charities of Herkimer County, Runaway and Homeless Youth Program –

\$13,939.00 – State share,

\$ 4,647.00 – Catholic Charities match,

\$ 4,647.00 – Herkimer County match

Program total: \$23,232.00

and, be it further

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

Dated: October 5, 2022.

On motion of Mr. Weakley, seconded by Mr. Hollum, Report and Resolution No. 284 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant and authorizing contract in Department of Social Services for Rental Supplement Program was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 284

REPORT AND RESOLUTION ACCEPTING GRANT AND AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES FOR RENTAL SUPPLEMENT PROGRAM

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

WHEREAS, by letter dated September 12, 2022 from Timothy J. Seymour, Commissioner of Social Services, this Legislature is advised that the Department of Social Services has been notified that they are eligible to receive an allocation in the amount of \$154,406 under New York State's Rental Supplement Program (RSP), with the funds providing rental supplements to eligible individuals and families experiencing homelessness or facing an imminent loss of housing; and

WHEREAS, said letter further requests the Rental Supplement Program be established in partnership with Catholic Charities, with Catholic Charities to operate the program, and oversight and approval would be provided by the Department of Social Services; now, therefore, be it

RESOLVED, that this Legislature accepts funding in the amount of \$154,406 under New York State's Rental Supplement Program and authorizes an agreement between Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services; and, be it further

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

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

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

Dated: October 5, 2022.

On motion of Mr. Weakley, seconded by Mr. Shaw, Report and Resolution No. 285 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant funding, authorizing signatures, creating project number, and amending 2022 budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 285

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING SIGNATURES, CREATING PROJECT NUMBER, AND AMENDING 2022 BUDGET

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

WHEREAS, Resolution No. 261 of 2019 accepted Substance Abuse and Mental Health Services Administration "System of Care Expansion and Sustainability" Grant Funding for the period of September 30, 2019 to September 29, 2023; and

WHEREAS, by letter dated September 13, 2022, Christina Cain, Director of Public Health, has requested to amend the budget to include the year four allocation for the award, in the amount of \$746,279, effective September 30, 2022 through September 29, 2023; and

WHEREAS, by letter dated September 14, 2022, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that Project PH20-4 be established for these funds and that the 2022 budget be amended; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2022 budget be amended as follows:

Revenue:

A4189N.4489N, Care Exp. and Sus. Grant, Federal, Proj PH20-4

From: \$0

To: \$746,279

Expense:
A4189N.44000, Care Exp. and Sus. Grant, Contracted Svs,
Proj PH 20-4

From: \$0
To: \$746,279

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 Public Health, Executive Director of the Youth Bureau, and Commissioner of Social Services.

Dated: October 5, 2022.

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 286 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contracts in connection with System of Care Grant in Public Health was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 286

REPORT AND RESOLUTION AUTHORIZING CONTRACTS IN CONNECTION WITH SYSTEM OF CARE GRANT IN PUBLIC HEALTH

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

WHEREAS, Public Health received a System of Care Grant which runs from September 30, 2019 through September 29, 2023 and it is necessary to enter into agreements in order to fulfill the requirements and goals of the grant; and

WHEREAS, by letter dated September 14, 2022 from Christina Cain, Director of Public Health, she has requested to enter into the following contracts:

1. **ICAN** – Steve Bulger, 310 Main St., Utica, NY 13501
 - \$432,610.38 for the following positions and services: Project Director, Family Services Coordinator, Support Coordinator, Counselor, Outreach Coordinator, Supervisor, SPIN Services, Administration, Office Space, Survey Monkey license
2. **Cornell Cooperative Extension of Oneida County, Child Care Council** - Mary Beth McEwen, Executive Director, 121 Second Street, Oriskany, NY 13424

- \$71,031.61 for the services of a full time Subject Educator, as well as supervision, Administration, training, and curricula
- 3. **SUNY Poly** – Jennifer Cole, Acting Operations Manager, 257 Fuller Road, Albany NY 12203
 - \$116,317.01 for the services of 4 Principal Investigators, a transcriptionist, interviewers, and Administration
- 4. **Catholic Charities of Herkimer County** - Maureen Petrie, 61 West St., Ilion, NY 13357
 - \$71,019.00 one full-time Youth Engagement Specialist, supervision, travel, youth activities, Administration
- 5. **BOCES** – Sandra Sherwood, 352 Gros Blvd., Herkimer, NY 13350
 - \$30,000 to purchase DESSA licenses to be used to evaluate students for mental health needs
- 6. **The Neighborhood Center** – Sandra Soroka, 624 Elizabeth St., Utica, NY 13501
 - \$25,300 for the services of a Licensed Social worker and a Psychiatric Nurse Practitioner

now, therefore, be it

RESOLVED, that the above contracts are approved contingent upon County Attorney approval, and that the Chairman is authorized to execute said contracts; 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, Commissioner of Social Services, Director of the Youth Bureau, and the above listed agencies.

Dated: October 5, 2022.

On motion of Mr. Hollum, seconded by Mr. Russell, Report and Resolution No. 287 sponsored by the Committee on Ways & Means amending Resolution No. 172 of 2015 adopting a Civil Rights Policy for the County of Herkimer pursuant to New York State Executive Law, Title VI of the Civil Rights Act of 1964, as amended was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 287

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 172 OF 2015 ADOPTING A CIVIL RIGHTS POLICY FOR THE COUNTY OF HERKIMER PURSUANT TO NEW YORK STATE EXECUTIVE LAW, TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 172 of 2015 this Legislature adopted a Civil Rights Policy for the County of Herkimer pursuant to Title VI of the Civil Rights Act of 1964, as

amended by Resolution No. 219 of 2018, which policy ensured that every effort would be made to ensure nondiscrimination in all of the County's programs and activities, whether those programs are federally funded or not; and

WHEREAS, by letter dated September 8, 2022, Steven R. Billings, Personnel Officer has advised that Herkimer County's Civil Rights Program was selected for review by the New York State Department of Transportation and was found to need modification in order to be in compliance with federal regulations; now, therefore, be it

RESOLVED, that the Civil Rights Policy for the County of Herkimer, as amended is hereby adopted; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to each Department Head in the County and the NYSDOT.

Dated: October 5, 2022.

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 288 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing payment of extradition expenses was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 288

REPORT AND RESOLUTION AUTHORIZING PAYMENT OF EXTRADITION EXPENSES

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

WHEREAS, this Legislature, on February 28, 1994, pursuant to Section 657-a of the County Law, authorized a fund for payment in advance of audit for expenditures necessarily incurred by the Sheriff in the transportation of prisoners; and

WHEREAS, this Legislature is informed by communication from the County Auditor's Office, dated September 13, 2022, that that office is in receipt of invoices and vouchers submitted by the County Sheriff's Office for services in connection with the extradition of a prisoner from North Carolina; and

WHEREAS, Section 657-a requires that said bills be audited by this Legislature; now, therefore, be it

RESOLVED, that said bills, having been incurred in the regular course of business and having been examined by your Committees, are approved; and, be it further

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

Dated: October 5, 2022.

On motion of Mr. Stephens, seconded by Mr. Manno, Report and Resolution No. 289 sponsored by the Committee on Natural Resources and the Committee on Ways & Means awarding bid for chemical at Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Swartz, Donley (2).



HERKIMER COUNTY LEGISLATURE

No. 289

REPORT AND RESOLUTON AWARDING BID FOR CHEMICAL AT HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, by letter dated September 15, 2022, the Budget Officer/Purchasing Agent has advised that bids were received in accordance with law for the provision of Sodium Hypochlorite for the Herkimer County Sewer District; and

WHEREAS, it is the recommendation of Chief Operator Alvin Montana II, that the bid be awarded as follows:

Sodium Hypochlorite	\$3.89 per gallon for one year	Slack Chemical Co., Inc. PO Box 30 465 South Clinton Street Carthage, NY 13619
---------------------	-----------------------------------	---

now, therefore, be it

RESOLVED, that the above bid for the provision of chemicals for the Herkimer County Sewer District be awarded, in the dollar amounts and delivery amounts as stated; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Sewer District, and Slack Chemical Co., Inc.

Dated: October 5, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 290 sponsored by the Committee on Natural Resources and the Committee on Ways & Means amending Salary Schedule No. III in the Sewer District was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Campione, Russell, Shaw, Weakley (14).

Against: None.

Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 290

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN THE SEWER DISTRICT

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

WHEREAS, by letter dated September 13, 2022, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to add the position of Industrial Pretreatment Laboratory Technician Trainee in Account G8130 at a 2022 base pay rate of \$40,000 and delete the position of Industrial Pretreatment Laboratory Technician; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to add a position of Industrial Pretreatment Laboratory Technician Trainee in Account G8130 at a 2022 base pay rate of \$40,000 and delete the position of Industrial Pretreatment Laboratory Technician; and, be it further

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

Dated: October 5, 2022.

On motion of Mr. Manno, seconded by Mr. Keeler, Report and Resolution No. 291 sponsored by the Committee on Education and the Committee on Ways & Means approving contract and deposit for boiler replacement project at Herkimer County Community College was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 291

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

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

WHEREAS, by letter dated September 15, 2022, Sheri Ferdula, Budget Officer/Purchasing Agent, has requested the approval of a contract with Siemans, 6075 Malloy Road, Suite 4, Syracuse, NY 13211, for the boiler replacement project, at a total cost of \$149,835.85; and

WHEREAS, letter further requests approval for the required 25% deposit, totaling \$37,459.00; now, therefore, be it

RESOLVED, that the Chairman be authorized to sign for a payment of \$37,459.00 to Siemens 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: October 5, 2022.

On motion of Mr. Manno, seconded by Mr. Russell, Report and Resolution No. 292 sponsored by the Committee on Education and the Committee on Ways & Means supporting Board of Trustees Resolution for capital project was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 292

REPORT AND RESOLUTION SUPPORTING BOARD OF TRUSTEES RESOLUTION FOR CAPITAL PROJECT

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

WHEREAS, by Resolution No. 22-4 dated September 12, 2022, the Herkimer County Community College Board of Trustees adopted a resolution approving a project for teacher stations, student tables, and student chairs for all classrooms; and

WHEREAS, Resolution further states the capital budget for this project is \$250,000, with 50% of the local share coming from Herkimer County (sponsor) and 50% from the State; now, therefore, be it

RESOLVED, that the Herkimer County Legislature supports the Herkimer County Community College Board of Trustee's Resolution No. 22-4 dated September 12, 2022 recommending this capital project for teacher stations, student tables, and student chairs for all classrooms; 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 at Herkimer County Community College.

Dated: October 5, 2022.

On motion of Mr. Schrader, seconded by Mr. Johnson, Resolution No. 293 sponsored by the Committee on County Properties and the Committee on Ways & Means authorizing sale of property was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Campione, Russell, Shaw, Weakley (14).

Against: None.

Absent: Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 293

RESOLUTION AUTHORIZING SALE OF PROPERTY

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

WHEREAS, the County of Herkimer is the owner of landlocked premises that are currently part of the Herkimer County Correctional Facility site at 711 Middleville Road, Herkimer, New York, Tax Map Parcel No. 113.65-2-6 shown on the attached map; and

WHEREAS, said real property is approximately 0.13 of an acre located on a steep hillside and is not necessary for public use; and

WHEREAS, the Committees and the Herkimer County Sheriff would like to straighten out the boundary line of the Herkimer County Correctional Facility as shown on the attached map; and

WHEREAS, the adjoining property owners, Paul and Sandra Fandrich, the owners of Tax Map Parcel No. 113.65-2-4 have made an offer equal to the appraised value of the landlocked parcel in the amount of the pro rata base value of \$1,200 per acre, said appraised value having been confirmed by the Hon. Charles Merrell, Herkimer County Supreme Court Justice, in his Decision and Order dated April 23, 2021; and

WHEREAS, the adjoining owners, Paul and Sandra Fandrich have further agreed to be responsible for all survey and description costs of a licensed land surveyor as well as customary recording fees; and

WHEREAS, your Committees have considered this offer and recommended its acceptance; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized and directed for and on behalf of the County of Herkimer to execute a deed to be prepared by the County Attorney's Office, to convey that said portion of Tax Map Parcel No. 113.65-2-6 as shown on the attached map to Paul and Sandra Fandrich, to be delivered within thirty days after receipt of the purchase price and proof of payment of costs; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, County Property Agent, the Herkimer County Sheriff, Paul and Sandra Fandrich, and the Herkimer County Attorney.

Dated: October 5, 2022.



V/O HERKIMER

А.И.Ильинский
Чертеж

1:50000
1 inch = 200 feet

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No. 294 sponsored by the Committee on County Properties and the Committee on Ways & Means approving proposal, creating project, and appropriating funds for renovation of the court facilities was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Campione, Russell, Shaw, Weakley (14).

Against: None.

Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 294

REPORT AND RESOLUTION APPROVING PROPOSAL, CREATING PROJECT, AND APPROPRIATING FUNDS FOR RENOVATION OF THE COURT FACILITIES

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

WHEREAS, by letter dated September 28, 2022, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that the Unified Court System has requested approval to accept a proposal for architectural and engineering services for renovation of the court facilities, the project would be considered tenant work and would be 100% reimbursable through the annual court budget; and

WHEREAS, the proposal to be accepted is from Nelson Associates, 1 North Park Row, Clinton, NY 13323 in the amount of \$15,998, including \$3,993 for conceptual design, \$8,003 for construction documents, \$801 for bidding, and \$3,201 for construction services; and

WHEREAS, this letter further advises that an appropriation of funds and the creation of a new project will be necessary; now, therefore, be it

RESOLVED, that the above described proposal is accepted, and that the creation of a project and an appropriation be made as follows:

\$15,998 From: A889N, Reserve/County Building Improvements
 To: H1620.40000, Buildings, Project 3-2

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, the Unified Court System, and Nelson Associates.

Dated: October 5, 2022.

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 295 sponsored by the Committee on Highways and the Committee on Ways & Means approving purchase and amending budget in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (14). Against: None. Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 295

REPORT AND RESOLUTION APPROVING PURCHASE AND AMENDING BUDGET IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated September 28, 2022, Sheri Ferdula, Budget Officer/
Purchasing Agent, has advised that the County Highway Superintendent is requesting approval
to purchase a new excavator; and

WHEREAS, letter further advises that it is necessary to amend the 2022 Budget to
complete the purchase; now, therefore, be it

RESOLVED, that the above describe purchase is approved and the 2022 Herkimer
County Budget is hereby amended as follows:

\$301,000 From: D5110.10100, Maintenance Division, Temp. Employees
 To: DM5130.23000, Road Machinery, Motor Vehicles

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: October 5, 2022.

On motion of Mr. Schrader, seconded by Mr. Johnson, Report and Resolution No. 296 sponsored by the Committee on County Properties authorizing sale of property acquired by In Rem procedures was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Campione, Russell, Shaw, Weakley (14).

Against: None.

Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 296

RESOLUTION AUTHORIZING SALE OF PROPERTY ACQUIRED BY IN REM PROCEDURES

Sponsored by: Committee on County Properties

WHEREAS, in an action brought on to enforce collection of delinquent taxes for the tax year 2019, a Judgment was made by the County Court of the County of Herkimer on the 3rd day of October, 2022 and was filed and entered in the Herkimer County Clerk's Office on October 3, 2022, pursuant to which properties listed therein became the property of the County; and

WHEREAS, pursuant to said Judgment, the County Treasurer of the County of Herkimer deeded all parcels listed in said Judgment to the County of Herkimer by deed dated October 3, 2022 and recorded on October 3, 2022, in the Herkimer County Clerk's Office as Instrument No. RP2022-5587; and

WHEREAS, the County owns other parcels obtained in previous In Rem tax foreclosure actions, which properties did not sell at prior auctions; and

WHEREAS, the court has retained jurisdiction over several parcels included in the foreclosure which parcels are the subject of further court proceedings, which proceedings may result in title to some of such parcels being conveyed to the County of Herkimer prior to the date of this year's land auction; and

WHEREAS, the County now desires to sell the parcels conveyed to the County in the aforesaid deed as well as any parcels from prior foreclosures which may also need to be sold and any parcels which may be conveyed to the County prior to this year's land auction; and

WHEREAS, it is necessary that terms and conditions of sale of said properties by the County be established; now, therefore, be it

RESOLVED:

1. That pursuant to Section 1166 of the Real Property Tax Law this Legislature now desires to provide for the sale of said parcels. Such sale shall be by public auction, and it is directed that such sale be held on Saturday, October 29, 2022 at 11:00 a.m. in the Auditorium at Herkimer High School;
2. That this sale by auction be held under the direction of the County Treasurer;
3. That such sale shall be conducted on the terms, conditions and procedures annexed hereto which include an Administration fee of \$400 for each successful bid;
4. That in addition, all sales of such property shall be subject to a buyer's premium of ten percent (10%) of the amount of the successful bid;
5. That all persons be entitled to bid at such sale on said parcels of property, except those persons prohibited by the attached Auction Terms and Procedures or by state or local law.
6. That the Treasurer is hereby authorized, when it seems advantageous, to divide any parcel on the auction list into two or more parcels and to offer said divided parcels individually or to join any two or more parcels on the auction list into one parcel and to offer said joined parcels as one parcel;
7. That following the auction sale, the Committee on County Properties and the County Treasurer report to this Legislature with their recommendations for the conveyance of the various parcels of property to the successful bidders thereon;
8. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, and County Attorney.

Dated: October 5, 2022.

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 297 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, Bono, Campione, Russell, Shaw, Weakley (14).

Against: None.

Absent: Swartz, Ackerman, Donley (3).



HERKIMER COUNTY LEGISLATURE

No. 297

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 October 4, 2022, submitting a request for an appropriation of funds to make tax bills for the city, villages, and schools whole before the In Rem auction, reports that we have examined said communication, inquired into the subject matter thereof, and 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:

\$96,145.61	From: A1990.46000, Contingent Fund, Miscellaneous Expense
	To: A1364.46000, Exp. Tax Acquired Property, Miscellaneous Expense

and, be it further

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

Dated: October 5, 2022.

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

At 2:38 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, October 26, 2022 at 7:00 p.m.

Brittney R. Viscomi, Clerk