

MINUTES
Herkimer County Legislature
First Quarter – First Day
Wednesday, January 4, 2023
2:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 2:01 p.m.

Chairman Bono called on Jeffrey Carpenter, District Attorney, 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, Stephens, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw (13).

Absent: Johnson, Keeler, Brezinski, Weakley (4).

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 December 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. 1 – A communication was received from the County Property Agent submitting results of 2019 In Rem Properties Land Auction. Filed.

No. 2 – A communication was received from Kim S. Tranter submitting appointment of Deputy Election Commissioner. Filed.

No. 3 – A communication was received from Robert J. Hoyt submitting appointment of Deputy Election Commissioner. Filed.

No. 4 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 5 – A communication was received from the NYS Fish and Wildlife Management Board advising of term expiring for member. Filed.

No. 6 – A communication was received from the Sheriff submitting November 2022 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 7 – A communication was received from the Highway Superintendent requesting discussion on Bridge NY Program. Referred to the Committee on Highways.

No. 8 – A communication was received from the Budget Officer/Purchasing Agent requesting approval for new regulators at HCCC. Referred to the Committee on Education and the Committee on Ways & Means.

No. 9 – A communication was received from the County Property Agent requesting approval for a relevy fee. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 10 – A communication was received from the County Treasurer submitting request for designation of Depositories of county funds for 2023. Referred to the Committee on Ways & Means.

No. 11 – A communication was received from Dr. Sikirica, Forensic Medical Services, advising of increase of autopsy fees. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 12 – A communication was received from the Probation Director requesting to accept funding for Ignition Interlock Device Monitoring Program Grant. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 13 – A communication was received from the County Treasurer requesting contract with Tyler Technologies. Referred to the Committee on Ways & Means.

No. 14 – A communication was received from the County Property Agent requesting approval of sealed bids. Referred to the Committee on County Properties.

No. 15 – A communication was received from the Budget Officer/Purchasing Agent amending Resolution No. 398 of 2022 in connection with purchase of new voting machines. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 16 – A communication was received from the District Attorney requesting Local Law to expand residency requirements for Assistant District Attorneys. Referred to the Committee on Public Safety & Emergency Management.

No. 17 – A communication was received from the County Property Agent requesting prospective cancellation of taxes (2019 In Rem). Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 18 – A communication was received from the Director of Information Services requesting approval of purchase in Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 19 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Domestic Terrorism Prevention Grant in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 20 – A communication was received from the Executive Director of the Youth Bureau requesting to accept funding for youth program. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 21 – A communication was received from the Sheriff requesting contract for printers for County ID cards. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 22 – A communication was received from the Highway Superintendent requesting approval of 2023 capital construction projects. Referred to the Committee on Highways.

No. 23 – A communication was received from the Executive Director of the Youth and Family Center approving of group rates for Herkimer County employee memberships.

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

The Chairman continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Donley, Resolution No. 1 designating the Times Telegram as the official newspaper of the County of Herkimer for the year 2023 was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 1

RESOLUTION THAT THE TIMES TELEGRAM BE DESIGNATED THE OFFICIAL NEWSPAPER OF THE COUNTY OF HERKIMER FOR THE YEAR 2023

RESOLVED, that this Legislature names the *Times Telegram*, as the official newspaper of the County of Herkimer, and that that paper have published therein all legal notices, local laws and other matters required to be published.

Dated: January 4, 2023.

On motion of Mr. Schrader, seconded by Mr. Shaw, Report and Resolution No. 2 sponsored by the Committee on Ways & Means as regards designation of depositories of County funds for 2023 was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 2

REPORT AND RESOLUTION AS REGARDS DESIGNATION OF DEPOSITORIES OF COUNTY FUNDS FOR 2023

Sponsored by: Committee on Ways and Means

RESOLVED, that the County Legislature of the County of Herkimer does hereby designate the following banks for the deposits of all monies received by the Herkimer County Treasurer, to wit:

M & T Bank	20,000,000.00
Key Bank	3,000,000.00
Adirondack Bank	40,000,000.00
JP Morgan Chase	1,000,000.00
TD Bank	30,000,000.00
NY Class	20,000,000.00

and, be it further

RESOLVED, that the County Treasurer be, and she hereby is, authorized, empowered and directed to enter into an agreement with each of the said banks for and on behalf of and in the name of the County Legislature of the County of Herkimer, fixing rates of interest to be paid on the monies so deposited; and, be it further

RESOLVED, that before any monies be deposited in any bank, the County Treasurer accept from such bank either a depository bond in some good and solvent surety company or in lieu of such bond, bonds or certificates of the United States, of the State of New York, or any county, city and town of the State of New York, including bonds or certificates, and shall be

deposited in a safe deposit box or safe deposit boxes by said County Treasurer in the name of the County of Herkimer or a properly executed certificate of escrow as authorized under the Laws of the State of New York, which certificate is approved by the County Attorney; and the County Treasurer is hereby authorized and directed to enter into a collateral agreement with said banks, which agreement is to be first approved by the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Attorney, County Clerk, and the above named depositories.

Dated: January 4, 2023.

On motion of Mr. Stephens, seconded by Mr. Ackerman, Report and Resolution No. 3 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving contract in the Sheriff's Department was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 3

REPORT AND RESOLUTION APPROVING CONTRACT IN THE SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated December 3, 2022, Scott F. Scherer, Sheriff, has requested approval to renew a contract with Linstar, for a printer service contract for the County ID cards, at a cost of \$2,775.00 for the period of November 10, 2022 through November 9, 2023; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Linstar, 430 Lawrence Bell Drive, Suite 16, Buffalo, NY 14221, at a cost of \$2,775.00 for the period of November 10, 2022 through November 9, 2023; and, be it further

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

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

Dated: January 4, 2023.

On motion of Mr. Ackerman, seconded by Mr. Malta, Report and Resolution No. 4 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means accepting funding for the youth programs for 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 4

REPORT AND RESOLUTION ACCEPTING FUNDING FOR THE YOUTH PROGRAMS FOR 2022

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

WHEREAS, by letter dated December 9, 2022 from Regina Giacovelli, Executive Director of the Herkimer County Youth Bureau, this Legislature is advised that the New York State Office of Children and Family Services has approved Herkimer County's Resource Allocation Plan (RAP) for 2022, which includes requested state aid in the amount of \$81,222; and

WHEREAS, Resolution No. 283 of 2022 approved the Youth Bureau to enter into contracts for 2022 with local agencies for the implementation of the Youth Development Programs; now, therefore, be it

RESOLVED, that funding from the New York State Office of Children and Family Services in the amount of \$81,222 is hereby approved; and, be it further

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

Dated: January 4, 2023.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 5 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting Domestic Terrorism Prevention (DTP) Grant funding, authorizing e-

signature, creating project number, and amending 2023 budget was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 5

REPORT AND RESOLUTION ACCEPTING DOMESTIC TERRORISM PREVENTION (DTP) GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT NUMBER, AND AMENDING 2023 BUDGET

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

WHEREAS, by letter dated December 8, 2022, John J. Raymond, Director of Emergency Services has advised of the receipt of the Domestic Terrorism Prevention Grant (DTP) in the amount of \$172,413, for the period of September 1, 2022 to August 31, 2024; and

WHEREAS, by letter dated December 15, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2023 Budget and create a new project; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted, a project number be created, and that the 2023 Budget be amended as follows:

A3020A.3389G, Em. Mgt. HSG, State Aid, Proj, EM07-1	From: \$0
	To: \$172,413
A3020A.44000, Em. Mgt. HSG, Cont. Services, Proj. EM07-1	From: \$0
	To: \$172,413

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, and Director of Emergency Services.

Dated: January 4, 2023.

On motion of Mr. Schrader, seconded by Mr. Manno, Report and Resolution No. 6 sponsored by the Committee on Information Services and the Committee on Ways & Means authorizing purchase in Information Services was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 6

REPORT AND RESOLUTION AUTHORIZING PURCHASE IN INFORMATION SERVICES

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

WHEREAS, Resolution No. 301 of 2022 accepted a Cyber Security Grant in the Information Services Department; and

WHEREAS, by letter dated December 15, 2022, from Michael Testa, Director of Information Services, this Legislature is advised of a request to purchase a camera system from Central Security in the amount of \$22,500; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the purchase of a camera system from Central Security in the amount of \$22,500 using Cyber Security Grant funding; and, be it further

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

Dated: January 4, 2023.

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 7 sponsored by the Committee on County Properties and the Committee on Ways & Means directing prospective cancellation of taxes on certain parcels was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 7

REPORT AND RESOLUTION DIRECTING PROSPECTIVE CANCELLATION OF TAXES ON CERTAIN PARCELS

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

WHEREAS, the County of Herkimer has, for many years, enforced the collection of delinquent real estate taxes pursuant to Real Property Tax Law, Article 11, Title 3, Foreclosure of Tax Lien by Proceeding In Rem; and

WHEREAS, Real Property Tax Law Section 1138, provides methods to withdraw parcels of property from foreclosure and in certain instances, cancel said taxes; and

WHEREAS, by letter dated December 6, 2022, from Jennifer L. Casey, County Property Agent, this Legislature is advised that parcels have been withdrawn from the County's list of delinquent taxes because if the County were to acquire the parcels, there is a significant risk that the County might be exposed to a liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and

WHEREAS, action can be taken by the Legislature pursuant to Real Property Tax Law Section 1138-(6)(d) to direct the enforcing officer to issue a certificate of prospective cancellation; and

WHEREAS, the issuance of such a certificate of prospective cancellation renders the parcel involved exempt from taxation until it is determined by the Legislature that the parcel should be restored to the taxable portion of the tax roll; now, therefore, be it

RESOLVED, that the Legislature hereby determines that there is no practical method to enforce the collection of delinquent tax liens arising hereafter against the parcels listed on Exhibit A attached hereto and made a part hereof; and, be it further

RESOLVED, that the Enforcing Officer is directed to issue a certificate of prospective cancellation for the parcels set forth on Exhibit A; and, be it further

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

Dated: January 4, 2023.

EXHIBIT A

TOWN	TAX MAP#	OWNER	LOCATION	DESCRIPTION
City of Little Falls	114.60-3-12	Leahy, Tanner	75 William St	Dilapidated Building 1 Family Res
City of Little Falls	114.68-2-56	Revely, Paula	141 Church St	Dilapidated Building 1 Family Res
City of Little Falls	114.60-1-78	Sullivan, Jeffrey Sr	73 W Monroe St	Dilapidated Building 2 Family Res
German Flatts - Ilion	119.44-5-12	Moss, Christopher	101 Second St	Dilapidated Building 1 Family Res
German Flatts - Mohawk	120.39-2-26	McGraw, Scott	8 N Washington St	Dilapidated Building 1 Family Res
German Flatts	126.1-1-37.2	Bonfardeci, Anthony T	2449 State Route 28	Dilapidated Building 1 use sm bld
Russia	083.1-1-19	Laymon, Leland B	Hinckley Rd	Dilapidated Building 1 Family Res

On motion of Mr. Hollum, seconded by Mr. Donley, Report and Resolution No. 8 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means amending Resolution No. 398 of 2022 and appropriating funds in the Board of Elections was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Stephens, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw (13).

Against: None. Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 8

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 398 OF 2022 AND APPROPRIATING FUNDS IN THE BOARD OF ELECTIONS

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

WHEREAS, by Resolution No. 398 of 2022 this Legislature approved the purchase of new voting machines and a new election management system; and

WHEREAS, by letter dated December 20, 2022, from Kim S. Tranter and Robert J. Hoyt, Commissioners of Elections, this Legislature is advised of a request to amend Resolution No. 398 of 2022, due to not purchasing a new election management system, and keeping the current provider at this time, which increases the purchase of the voting machines by \$6,557, for a total cost of \$490,683; and

WHEREAS, by letter dated December 20, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriation of funds will be necessary to complete the purchase; now, therefore, be it

RESOLVED, that the Legislature of Herkimer County approves an appropriation of funds in the 2022 budget as follows:

\$490,683	From: A909, General Fund
	To: A1450A.25000, BOE Admin, Other Equipment

and, be it further

RESOLVED, that in all other respects, Resolution No. 398 of 2022 shall remain in full force and effect; and, be it further

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

Dated: January 4, 2023.

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 9 sponsored by the Committee on County Properties approving sale of parcels acquired by In Rem Tax foreclosure was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Stephens, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw (13).

Against: None. Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 9

REPORT AND RESOLUTION APPROVING SALE OF PARCELS ACQUIRED BY IN REM TAX FORECLOSURE

Sponsored by: Committee on County Properties

WHEREAS, by judgment of the Herkimer County Court filed and entered October 3, 2022 in the In Rem Tax Foreclosure Action for the year 2019, the County of Herkimer acquired title to certain parcels of property; and

WHEREAS, this Legislature has been advised that offers have been received for the parcels of property listed below; and

WHEREAS, your Committee has considered the offers, recommends their acceptance and offers the following Resolution:

RESOLVED, that the offers for the following listed parcels of land in the amounts listed be, and hereby are, accepted and the County Treasurer's Office is hereby directed to prepare the usual deed of conveyance for said properties to be delivered to the purchasers upon receipt by the County Treasurer of the offered sum, plus recording and transfer fees:

<u>Parcel</u>	<u>Purchaser</u>	<u>Offer</u>
City of Little Falls Tax Map No. 114.59-1-54 Furnace St.	Jason Cacciatore	\$ 500.00
City of Little Falls Tax Map No. 114.84-1-16 237 Flint Ave.	Jason Cacciatore	\$ 1,500.00
Village of Ilion Tax Map No. 119.52-4-15 149 Otsego St.	Michael Thode	\$ 500.00
Village of Ilion Tax Map No. 120.45-1-51 55 Highland Ave.	Michael Thode	\$12,000.00
Town of Herkimer Tax Map No. 113.82-1-2	Michael Gorman	\$ 1,111.00

123 Piper Rd.

Town of Little Falls
Tax Map No. 121.1-1-56
State Route 5

Jason Cacciatore

\$ 500.00

and, be it further

RESOLVED, that the County Treasurer is hereby authorized, upon receipt by the County Treasurer of the aforesaid sums plus recording fees, to execute said deeds transferring said properties; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent, County Attorney, and above listed purchasers.

Dated: January 4, 2023.

On motion of Mr. Ackerman, seconded by Mr. Campione, Report and Resolution No. 10 sponsored by the Committee on Ways & Means authorizing execution of annual accounting system maintenance agreement was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 10

REPORT AND RESOLUTION AUTHORIZING EXECUTION OF ANNUAL ACCOUNTING SYSTEM MAINTENANCE AGREEMENT

Sponsored by: Committee on Ways and Means

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

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

WHEREAS, by letter dated December 15, 2022, Kim Enea, County Treasurer, has requested that a new agreement be entered into with Tyler Technologies for the year 2023 at a cost of \$52,688.76; now, therefore, be it

421	Summit, Spencer, Reese, and Elizabethtown Roads, County Roads 58/168/81/43, Towns of Newport, Manheim, Frankfort and Columbia	Paver Placed Surface Treatment/Hot Mix	\$425,000.00
422	Elizabethtown, Summit and Military Roads, County Roads 43/105/58, and 113, Towns of Columbia/German Flatts, Newport, and Russia	Cold In Place Recycling	\$1,250,000.00
423	Jerusalem Hill, Jordanville, Joslin Hill and Stone Roads, County Roads 16/18/27 and 141, Towns of Columbia, Litchfield, Frankfort, and Winfield	Heater Scarification	\$500,000.00
424	Elizabethtown, Summit, Military, Jerusalem Hill, Jordanville, Joslin Hill and Stone Roads, County Roads 43/105/58/113/16/18/27 and 141, Towns of Columbia/German Flatts, Newport, Russia, Litchfield, Columbia, Frankfort, and Winfield	Warm Mix Paving	\$4,250,000.00

and, be it further

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

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

Dated: January 4, 2023.

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 12 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means in connection with receipt of Ignition Interlock Monitoring Device Grant was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 12

REPORT AND RESOLUTION IN CONNECTION WITH RECEIPT OF IGNITION INTERLOCK MONITORING DEVICE GRANT

Sponsored by: Committee on Public Safety/Emergency Management

Committee on Ways and Means

WHEREAS, by Resolution No. 317 adopted on December 14, 2011, and pursuant to the provisions of Leandra's Law, an Ignition Interlock Monitoring Program was established in Herkimer County through a grant received from the New York State Division of Criminal Justice Services, with said grant being renewed by resolution each year thereafter; and

WHEREAS, by letter dated December 13, 2022, from Garry Murphy, Director of Probation, this Legislature is advised of the request for acceptance of a grant from the State Division of Criminal Justice Services, for the period from October 1, 2022 through September 30, 2023, in the total amount of \$5,649.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by e-signature a contract with the New York State Division of Criminal Justices to receive an Ignition Interlock Device Monitoring Project Grant for the period from October 1, 2022 through September 30, 2023, in the total amount of \$5,649.00, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: January 4, 2023.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 13 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending fee schedule associated with Coroners' duties was handed up; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 13

REPORT AND RESOLUTION AMENDING FEE SCHEDULE ASSOCIATED WITH CORONERS' DUTIES

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

WHEREAS, by Resolution No. 26 of 1966, the Board of Supervisors established fees for services associated with autopsies, use of morgues, reporting and related costs; and

WHEREAS, by Resolution No. 271 of 2015 and Resolution No. 281 of 2020, this Legislature approved certain changes be made to the fee schedule; and

WHEREAS, it is now recommended that certain changes be made to this schedule; and

WHEREAS, by letter dated November 7, 2022, Michael Sikirica, M.D., advised that they are adjusting their autopsy fee schedule for services currently provided to Herkimer County, effective January 1, 2023 as follows:

Autopsy with death certification - \$1,400.00
Death certificate in absentia (without autopsy) - \$100.00 (unchanged)
External examination with death certification - \$450.00 (unchanged)

now, therefore, be it

RESOLVED, that the above fee schedule for services currently provided to Herkimer County are hereby approved; and, be it further

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

Dated: January 4, 2023.

On motion of Mr. Swartz, seconded by Mr. Malta, Resolution No. 14 sponsored by the Committee on Public Safety & Emergency Management setting date for Public Hearing on Introductory Local Law A for 2023 was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 14

RESOLUTION SETTING DATE FOR PUBLIC HEARING ON INTRODUCTORY LOCAL LAW A FOR 2023

Sponsored by: Committee on Public Safety & Emergency Management

WHEREAS, we the Committee on Public Safety & Emergency Management of the Herkimer County Legislature are causing to be prepared and will present Introductory Local Law A for the year 2023 entitled, "A LOCAL LAW EXPANDING THE RESIDENCY

REQUIREMENTS FOR HERKIMER COUNTY ASSISTANT DISTRICT ATTORNEYS”;
now, therefore, be it

RESOLVED, that a Public Hearing will be held before the Herkimer County Legislature on the adoption of said proposed local law, to be conducted by the Committee on Public Safety & Emergency Management on the 25th day of January, 2023 at 6:15 p.m., in the Legislature Chambers of the County Office Building, Herkimer, New York; and, be it further

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

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

RESOLVED, that if said local law shall be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one certified copy in the Office of the Secretary of State and print and publish said local law in the official newspaper of the County of Herkimer pursuant to law.

Dated: January 4, 2023.

On motion of Mr. Hollum, seconded by Mr. Donley, Resolution No. 15 sponsored by the Committee on Administration/Veterans’ Affairs supporting an increase in snowmobile registration fees to generate further financial support for snowmobile trail development and maintenance fund was handed up; voted on and adopted by voice vote:

For: Ayes (13). Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 15

RESOLUTION SUPPORTING AN INCREASE IN SNOWMOBILE REGISTRATION FEES TO GENERATE FURTHER FINANCIAL SUPPORT FOR SNOWMOBILE TRAIL DEVELOPMENT AND MAINTENANCE FUND

Sponsored by: Committee on Administration/Veterans’ Affairs

WHEREAS, snowmobiling is a key contributor to the winter tourism in Herkimer County bringing significant spending and support for County restaurants and small businesses, and contributing up to \$868 million annually to the Upstate New York economy; and

WHEREAS, Herkimer County snowmobile clubs maintain over 446 miles of trails throughout the county, and the Town of Webb maintains over 126 miles of trails, and there are also over 74 miles of trails independently maintained by clubs in Herkimer County, and clubs throughout the State maintain 10,500 miles of trails statewide; and

WHEREAS, the maintenance of the snowmobile trails in Herkimer County is completed almost entirely by volunteers who are members of snowmobile clubs; and

WHEREAS, it is important to ensure that the County snowmobile trail infrastructure is in a condition to welcome snowmobilers, and that the trails are as safe and well-maintained as they can be; and

WHEREAS, since 1987, the New York State Snowmobile Trail Development and Maintenance Fund has been utilized by municipalities and their snowmobile club partners to properly groom and maintain local snowmobile trails, including the purchase of necessary equipment; and

WHEREAS, the Snowmobile Trail Development and Maintenance Fund is fully funded throughout the registration of snowmobilers participating in the sport, and has no general assessment on taxpayers; and

WHEREAS, the snowmobile community, including the New York State Snowmobile Association and the clubs in Herkimer County, have requested an increase in the snowmobile registration fees to support trail maintenance; and

WHEREAS, there has not been a registration fee increase for snowmobiles since 2005, while there have been registration fee increases in surrounding states; and

WHEREAS, there is significant inflation throughout the Country, including on critical machinery needed to maintain the trails; and

WHEREAS, Herkimer County supports the snowmobiling community and the economic impact that snowmobiling has on our businesses and people; now, therefore, be it

RESOLVED, that the Herkimer County Legislature supports an increase in Snowmobile Registration Fees to generate further financial support for the Snowmobile Trail Development and Maintenance Fund; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Kathy Hochul, Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, Senator Joseph A. Griffo, and the New York State Association of Counties.

Dated: January 4, 2023.

On motion of Mr. Hollum, seconded by Mr. Russell, Resolution No. 16 sponsored by the Committee on Ways & Means committing American Rescue Plan funding was handed up; discussion was held; voted on and adopted by roll call vote requested by Legislator Malta:

For: Malta, Schrader, Hollum, Manno, Swartz, Bono, Ackerman, Donley, Campione, Russell, Shaw (11).

Against: Gaworecki (1). Abstain: Stephens (1).

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 16

RESOLUTION COMMITTING AMERICAN RESCUE PLAN FUNDING

Sponsored by: Committee on Ways and Means

WHEREAS, the County has received funding from the American Rescue Plan Act to support the response and recovery from the COVID-19 pandemic; and

WHEREAS, this Legislature has approved \$50,000 in funding for each legislative district to extend support directly to the communities within Herkimer County; and

WHEREAS, each Legislator will be responsible for communicating the program within their individual districts and establishing the criteria on which funding will be awarded; now, therefore, be it

RESOLVED, that \$850,000 of Herkimer County's share of the American Rescue Plan funding will be allocated equally to each of the 17 Herkimer County Legislative Districts at \$50,000 per district; and, be it further

RESOLVED, that any entity receiving these funds must submit a letter of request to this Legislature with a detailed justification of how the funding will be used to support the response and recover of the COVID-19 pandemic and be willing to produce documentation as requested by Herkimer County to meet any and all reporting requirements; and, be it further

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

Dated: January 4, 2023.

On motion of Mr. Ackerman, seconded by Mr. Schrader, with unanimous consent, Resolution No. 17 was brought forward on the floor approving county employees family memberships at The Youth & Family Center, discussion was held; voted on and adopted by voice vote:

For: Ayes (13).

Against: None.

Absent: Johnson, Keeler, Brezinski, Weakley (4).



HERKIMER COUNTY LEGISLATURE

No. 17

RESOLUTION APPROVING COUNTY EMPLOYEES FAMILY MEMBERSHIPS AT THE YOUTH & FAMILY CENTER

WHEREAS, this Legislature has authorized family memberships at the Youth & Family Center (formerly known as the YMCA), at both the Little Falls and Mohawk locations; and

WHEREAS, the County will pay \$5,000 for up to 450 County employees to have family memberships and use of their facilities at the Youth & Family Center for the year 2023; now, therefore, be it

RESOLVED, that this Legislature approves the payment of \$5,000 to the Youth & Family Center of Little Falls and Mohawk for up to 450 County employees to have family memberships and use of their facilities; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, the Youth & Family Center, and all other department heads.

Dated: January 4, 2023.

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

At 2:15 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, January 25, 2023 at 7:00 p.m., with a Public Hearing on Introductory Local Law A for the year 2023 at 6:15 p.m.

Brittney R. Viscomi, Clerk