MINUTES
Herkimer County Legislature
Fourth Quarter – Second Day
Wednesday, October 23, 2024
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Robert D. Hollum at 7:02 p.m.

Chairman Hollum called on Kathy Stalteri, to lead the Legislature in the Pledge of Allegiance.

Chairman Hollum 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, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Conover, Weakley (17).

Absent: None.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Hollum asked if there were any objections or corrections to the minutes of October 2, 2024. There were none, and the Chairman ordered them approved.

At this time Chairman Hollum called on Legislator Robert Schrader for the presentation of a proclamation. Mr. Schrader read the proclamation which proclaimed Thursday, October 24, 2024 as "Kathy Stalteri Day."

Pursuant to Rule 11, Chairman Hollum opened the floor for public comment. 1) Keith Rubino, Herkimer – Herkimer Library.

Chairman Hollum 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. 447 – A communication was received from the County Attorney submitting notice of claim. Filed.

No. 448 – A communication was received from the Capital District OTB submitting financial reports for May 2024 and June 2024. Filed.

No. 449 – A communication was received from the County Attorney submitting notice of claim. Filed.

No. 450 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 451 – A communication was received from the County Attorney submitting notice of appointment of Assistant County Attorney. Filed.

No. 452 – A communication was received from the Sheriff submitting August 2024 monthly report. Referred to the Committee on Public Safety & Emergency Management.

No. 453 – A communication was received from the Budget Officer/Purchasing Agent requesting payments in connection with American Rescue Plan funding. Referred to the Committee on Ways & Means.

No. 454 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Sheriff Department for purchase of vehicle. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 455 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in Sheriff Department for the purchase of a pistol permit software system. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 456 – A communication was received from the County Treasurer submitting report of cancelled taxes. Referred to the Committee on Ways & Means.

No. 457 – 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. 458 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of project and budget amendment in connection with Healthy Families Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 459 – A communication was received from the Chairman of the Legislature making appointments to Office for the Aging Advisory Board. Referred to the Committee on Human Resources.

No. 460 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule No. III in the Maintenance Department. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 461 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of projects and budget amendments in connection with grant funding in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 462 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in the District Attorney's Office. Referred to the Committee on Ways & Means.

No. 463 – A communication was received from the Director of Probation submitting 2024-2025 Probation Plan. Referred to the Committee on Public Safety & Emergency Management.

No. 464 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of account in connection with grant funding in the Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 465 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of accounts in connection with grant funding in the Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 466 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of accounts in connection with grant funding in the Board of Elections. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 467 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds in the Office for the Aging. Referred to the Committee on Ways & Means.

No. 468 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment, transfer of funds and creation of accounts for purchase in Probation. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 469 – A communication was received from the County Treasurer requesting to open a bank account. Referred to the Committee on Ways & Means.

No. 470 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of project and budget amendment in connection with grant funding in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 471 – A communication was received from the Budget Officer/Purchasing Agent requesting to award proposal for architectural and engineering services, creation of project, and transfer of funds. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 472 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of project and budget amendment for grant funding in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 473 – A communication was received from the Personnel Officer requesting to amend Salary Schedule No. III to delete position. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 474 – A communication was received from the Director of Public Health requesting to establish rates in connection with Preschool Special Education Related Services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 475 – A communication was received from the Highway Superintendent requesting extension of Snow and Ice Agreement. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 476 – A communication was received from the County Attorney requesting authorization for Chairman to execute agreement regarding Indigent Representation Improvements. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 477 – A communication was received from the County Attorney requesting contribution appraisal costs. Referred to the Committee on Ways & Means.

No. 478 – A communication was received from the Budget Officer/Purchasing Agent requesting authorization for Chairman to sign proposal in connection with Herkimer County Community College project. Referred to the Committee on Education and the Committee on Ways & Means.

No. 479 – A communication was received from the Budget Officer/Purchasing Agent requesting change orders in connection with Physical Education building project at Herkimer County Community College. Referred to the Committee on Education and the Committee on Ways & Means.

No. 480 – A communication was received from the IDA requesting authorization for application of Brownfield Coalition Grant. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Hollum then proceeded with Reports of Standing Committees. Legislator Schrader, Chairman of the Administration/Veterans' Affairs Committee gave an update on Early Voting.

On motion of Mr. Campione, seconded by Mr. Brewer, Resolution No. 330 – Resolution No. 334 were handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

Consent Agenda:

330 WAYS & MEANS: Setting date for public hearing for Local Law

331 NAT. RESOURCES, WAYS & MEANS: Setting date for public hearing for Sewer District Assessment Roll

332 HUMAN RES.: Confirming appointments to the Herkimer Co. OFA Advisory Council
333 WAYS & MEANS: Authorizing transfer of funds in OFA
334 PUB. SFTY./EMER. MGMT.: Approving 2024/2025 Probation Plan

HERKIMER COUNTY LEGISLATURE

No. 330

REPORT AND RESOLUTION SETTING DATE FOR PUBLIC HEARING FOR LOCAL LAW ESTABLISHING ANNUAL SALARIES OF SOME ELECTED OFFICIALS AND CERTAIN COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE

Sponsored by: Committee on Ways and Means

We, the Committee on Ways and Means of the Herkimer County Legislature, are causing to be prepared and will present Introductory Local Law B for the year 2024 to establish annual salaries of some elected officials and certain county officers appointed for a fixed term during their term of office, and setting the date for the statutory public hearing thereon, and offer the following Resolution:

RESOLVED:

1. That a proposed local law establishing salaries of some elected officials and certain county officers will be prepared by this Committee, and that a public hearing will be held on the proposed local law at a meeting of the Herkimer County Legislature, on the 13th day of November, 2024, at 6:15 p.m. in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York;

2. That this County Legislature designates the Committee on Ways and Means as the Committee to hold the public hearing on the adoption of said act;

3. That at least five days prior to such public hearing the Clerk of this Legislature shall post a notice of such hearing upon the bulletin board in the Courthouse and cause to be published said notice at least once in the *Times Telegram*;

4. That the Clerk of this Legislature shall place a copy of said act on the desks of the members of this County Legislature at least seven calendar days, exclusive of Sunday, prior to its final adoption;

5. That if said local law be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one in the Office of the Secretary of State and publish said local law as required by law.

Dated: October 23, 2024.

HERKIMER COUNTY LEGISLATURE

No. 331

REPORT AND RESOLUTION FIXING TIME AND PLACE FOR THE PUBLIC HEARING ON THE ASSESSMENT ROLL OF THE PART COUNTY SEWER DISTRICT

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

WHEREAS, the Herkimer County Sewer District has prepared an assessment roll pursuant to the provisions of Section 271 of the County Law; and

WHEREAS, this Legislature has been advised that the assessment roll has been submitted to the Herkimer County Budget Officer together with the estimate of revenues and expenditures; and

WHEREAS, the Herkimer County Budget Officer has transmitted the assessment roll together with the tentative budget to the Clerk of the Legislature; now, therefore, be it

RESOLVED, that the Herkimer County Legislature shall cause a notice to be published stating the time, place and purpose of a public hearing on the said assessment roll; and, be it further

RESOLVED, that the Herkimer County Legislature shall hold such public hearing at the Legislative Chambers of the Herkimer County Office Building in the Village of Herkimer, County of Herkimer, New York, on the 13th day of November, 2024 at 6:17 p.m., pursuant to the provisions of Section 271 of the County Law.

Dated: October 23, 2024.

HERKIMER COUNTY LEGISLATURE

No. 332

REPORT AND RESOLUTION CONFIRMING APPOINTMENTS TO THE HERKIMER COUNTY OFFICE FOR AGING ADVISORY COUNCIL

Sponsored by: Committee on Human Resources

WHEREAS, the Chairman of the Herkimer County Legislature, by letter dated October 7, 2024, has made appointments to the Office for the Aging Advisory Council; now, therefore, be it

RESOLVED, that the following appointments to the Office for the Aging Advisory Council be, and hereby are ratified and confirmed:

New appointments for term of 10/2024-10/2027
Sarah Smith, Frankfort, NY 13340

Jill Farnhum-Us, Herkimer, NY 13350

Ron Beach, Jr., Frankfort, NY 13340

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of the Herkimer County Office for the Aging and each appointee.

Dated: October 23, 2024.

HERKIMER COUNTY LEGISLATURE

No. 333

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE OFFICE FOR THE AGING

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 September 30, 2024, submitting a request for a transfer of funds in the Office for the Aging, 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 in the 2024 Budget:

$14,500	From:	A6772.10100, Aging, IIIB, Temp. Salaries
	To:	A6772.46200, Aging IIIB, Auto Expense

and, be it further

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

Dated: October 23, 2024.

HERKIMER COUNTY LEGISLATURE

No. 334

REPORT AND RESOLUTION APPROVING 2024/2025 PROBATION PLAN

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, your Committee on Public Safety/Emergency Management, to which was referred the 2024/2025 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 2024/2025 Probation Plan of the Herkimer County Probation Department be approved and placed on file with the Herkimer County Legislature.

Dated: October 23, 2024.

Chairman Hollum dispensed with the regular session to welcome the students in attendance who are participating in the Cornell Cooperative Extension Government Intern Program and asked them to introduce themselves and the school districts they represent.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 335 sponsored by the Committee on Ways & Means approving opening a bank account was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 335

REPORT AND RESOLUTON APPROVING OPENING A BANK ACCOUNT

Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated October 3, 2024, Kimberlee A. Enea, County Treasurer, has requested to open a new bank account for FEMA money received that is currently being housed in the County Road account; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer is authorized to open a new bank account for FEMA money received and to make any necessary transfers of funds currently in the County Road account; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Campione, seconded by Mr. Weakley, Report and Resolution No. 336 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant funds, creating project, and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 336

REPORT AND RESOLUTION ACCEPTING GRANT FUNDS, CREATING PROJECT, AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING

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

WHEREAS, by letter dated October 9, 2024, from John W. Lynch, STOP-DWI Coordinator, he has requested this Legislature accept funding from the New York State Highway Safety Program Grant (High Visibility Engagement Campaign) in the amount of $24,500 for the period of October 1, 2024 through September 30, 2025, as a pass-through funding stream administered by the County; and

WHEREAS, by letter dated October 9, 2024 from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that it is necessary to create a project and amend the 2024 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the 2024 Herkimer County Budget is hereby amended as follows:

Revenue: A3315A.4389G, Impaired Driving Det., From: $0

	Federal Aid, Project SD02-12	To:	$24,500
Expense:	A3315A.44000, Impaired Driving Det.,	From:	$0
	Contracted Services, Project SD02-12	To:	$24,500

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 23, 2024.

On motion of Mr. Donley, seconded by Mr. Schrader, Report and Resolution No. 337 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 2024 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 337

REPORT AND RESOLUTION ACCEPTING DOMESTIC TERRORISM PREVENTION (DTP) GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT NUMBER, AND AMENDING 2024 BUDGET

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

WHEREAS, by letter dated October 4, 2024, Albert J. Moxham, Jr., 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, 2024 to August 31, 2026; and

WHEREAS, by letter dated October 4, 2024 from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that it is necessary to amend the 2024 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 2024 Budget be amended as follows:

A3020A.3389G, Em. Mgt. HSG, State Aid, Proj. EM07-2	From:	$0
	To:	$172,413

A3020A.10000-001, Em. Mgt. HSG, Salaries, Proj. EM07-02	From:	$0
	To:	$35,000
A3020A.44000, Em. Mgt. HSG, Cont. Services, Proj. EM07-2	From:	$0
	To:	$137,413

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: October 23, 2024.

On motion of Mr. Brewer, seconded by Mr. Campione, Report and Resolution No. 338 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant funding, authorizing e-signature, creating projects, and amending 2024 Budget was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 338

REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECTS, AND AMENDING 2024 BUDGET

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

WHEREAS, by letter dated September 23, 2024, Albert J. Moxham, Jr., Director of Emergency Services has advised of the State Homeland Security Program Grant (SHSP) and the State Law Enforcement Terrorism Prevention Program (SLETPP) Grant FY2024 in the amount of $76,821.00, with the SHSP portion at $49,931.00 and the SLETPP portion at $26,890.00; and

WHEREAS, letter further advises that these grants are provided by the U.S. Department of Homeland Security and FEMA and will be managed by New York State Division of Homeland Security and Emergency Services for the period of September 1, 2024 through August 31, 2027; and

WHEREAS, by letter dated September 30, 2024, from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that Project EM02-18 and Project SH01-24 be established for these funds and that the 2024 budget be amended; now, therefore, be it

RESOLVED, that the above described grants are hereby accepted and that the 2024 budget be amended as follows:

Revenue:

A3020A4389H, EM HSG, Federal, Proj.: EM02-18	From: $0 To: $49,931

Expenses:

A3020A.44000, EM HSG, Contracted Services, Proj.: EM02-18	From: $0 To: $49,931

Revenue:

A3110A.4389H, Sheriff, HSG, Federal Aid, Proj.: SH01-24	From: $0 To: $26,890

Expense:

A3110A.42100, Sheriff, HSG, Telephone, Proj.: SH01-24	From: $0 To: $26,890

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant documents; 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: October 23, 2024.

On motion of Mr. Bick, seconded by Mr. Malta, Report and Resolution No. 339 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing purchase of bulletproof vests, amending budget, creating accounts, and transferring funds in Probation Department was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 339

REPORT AND RESOLUTION AUTHORIZING PURCHASE OF BULLETPROOF VESTS, AMENDING BUDGET, CREATING ACCOUNTS, AND TRANSFERRING FUNDS IN PROBATION DEPARTMENT

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

WHEREAS, by letter dated October 2, 2024, Michael D. Scalise, Probation Director, has requested authorization to purchase bulletproof vests for probation officers, and has advised that

he will submit an application for a federal grant seeking reimbursement for up to 50% of the cost of the vests; and

WHEREAS, by letter dated October 3, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has requested a transfer, creation of accounts, and an amendment of the 2024 budget; now, therefore, be it

RESOLVED, that the above purchase is approved and a transfer, creation of accounts, and amendment of the 2024 Herkimer County Budget is hereby approved as follows:

Create and Amend:

A3141C.4389C, Bullet Proof Vest Grant, Federal Aid	From:	$0
	To:	$4,611.64
A3141C.41000, Bullet Proof Vest Grant, Supplies	From:	$0
	To:	$4,611.64

Transfer:

$3,195.19	From:	A3141A.44000, Pretrial, Contracted Services Project PR04-1
	To:	A3141A.41000, Pretrial, Supplies Project PR04-1
$4,611.64	From:	A3140.44000-404, Probation, Elec. Monitoring,
	To:	A3141C.41000, Bullet Proof Vest Grant, Supplies

and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Schrader, seconded by Ms. Bennett, Report and Resolution No. 340 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means accepting grant, authorizing Chairman to sign contract, creating accounts, and amending Budget in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 340

REPORT AND RESOLUTION ACCEPTING GRANT, AUTHORIZING CHAIRMAN TO SIGN CONTRACT, CREATING ACCOUNTS, AND AMENDING BUDGET IN BOARD OF ELECTIONS

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

WHEREAS, by letter dated September 30, 2024, from Kim S. Tranter and Robert J. Hoyt, Election Commissioners, this Legislature is advised of a request to accept grant funding, authorize Chairman to sign the contract, create accounts, and amend the budget in connection with a General Election Grant in the Board of Elections in the amount of $24,686.04, the funding will run from April 1, 2024 through March 31, 2025; and

WHEREAS, by letter dated October 3, 2024, Sheri A. Ferdula, Budget Officer/ Purchasing Agent has requested accounts be created and the 2024 Budget be amended as follows:

Revenue:

A1450R.3089, General Election Grant, State Aid	$24,686.04

Expenses:

A1450R.10100, General Election Grant, Temp. Employees	$5,000
A1450R.41000, General Election Grant, Supplies	$15,000
A1450R.44000, General Election Grant, Contracted Services	$4,686.04

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the General Election Grant in the amount of $24,686.04, creates accounts, and amends the budget as listed; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign all necessary documents relating to this grant; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Schrader, seconded by Mr. Brezinski, Report and Resolution No. 341 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means accepting grant, authorizing Chairman to sign contract, creating accounts, and amending Budget in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 341

REPORT AND RESOLUTION ACCEPTING GRANT, AUTHORIZING CHAIRMAN TO SIGN CONTRACT, CREATING ACCOUNTS, AND AMENDING BUDGET IN BOARD OF ELECTIONS

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

WHEREAS, by letter dated September 30, 2024, from Kim S. Tranter and Robert J. Hoyt, Election Commissioners, this Legislature is advised of a request to accept grant funding, authorize Chairman to sign the contract, create accounts, and amend the budget in connection with a Ballot by Mail Grant in the Board of Elections in the amount of $33,739.00, the funding will run from April 1, 2024 through March 31, 2025; and

WHEREAS, by letter dated October 3, 2024, Sheri A. Ferdula, Budget Officer/ Purchasing Agent has requested accounts be created and the 2024 Budget be amended as follows:

Revenue:

A1450P.3089, Ballot By Mail Grant, State Aid	$33,739

Expenses:

A1450P.10100, Ballot By Mail Grant, Temp. Employees	$4,000
A1450P.41000, Ballot By Mail, Supplies	$15,000
A1450P.44000, Ballot By Mail, Contracted Services	$11,739
A1450P.46300, Ballot By Mail, Postage/Freight	$3,000

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the Ballot by Mail Grant in the amount of $33,739.00, creates accounts, and amends the budget as listed; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign all necessary documents relating to this grant; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Brezinski, seconded by Mr. Keeler, Report and Resolution No. 342 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means accepting grant, authorizing Chairman to sign contract, creating account, and amending Budget in Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 342

REPORT AND RESOLUTION ACCEPTING GRANT, AUTHORIZING CHAIRMAN TO SIGN CONTRACT, CREATING ACCOUNT, AND AMENDING BUDGET IN BOARD OF ELECTIONS

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

WHEREAS, by letter dated September 30, 2024, from Kim S. Tranter and Robert J. Hoyt, Election Commissioners, this Legislature is advised of a request to accept grant funding, authorize Chairman to sign the contract, create account, and amend the budget in connection with an Electronic Poll Book Grant in the Board of Elections in the amount of $57,209.90, the funding will run from April 1, 2024 through March 31, 2025; and

WHEREAS, by letter dated October 3, 2024, Sheri A. Ferdula, Budget Officer/ Purchasing Agent has requested an account be created and the 2024 Budget be amended as follows:

Revenue:

A1450N.3089R, Poll Book, State Aid	From: $0
	To: $57,209.90

Expenses:

A1450N.25000, Poll Book, Other Equipment (create)	From: $0
	To: $57,209.90

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the Electronic Poll Book Grant in the amount of $57,209.90, creates account, and amends the budget as listed; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign all necessary documents relating to this grant; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Swartz, seconded by Mr. Campione, Report and Resolution No. 343 sponsored by the Committee on Ways & Means relating to cancelled taxes and rejected taxes was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 343

REPORT AND RESOLUTION RELATING TO CANCELLED TAXES AND REJECTED TAXES

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the reports of the County Treasurer, with account attached thereto, showing the amounts of cancelled taxes and rejected taxes as of October 7, 2024 which should be charged back to the respective towns, municipalities and districts set forth on said account, does respectfully report that we have examined the same, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the following amounts be charged to the respective towns, municipalities and districts as set forth on said account and that the portion of said cancelled taxes and rejected taxes be included in the various towns' tax levies for the coming year as follows:

TOWN	CANCELLED TAXES	REJECTED TAXES	TOTAL	TOWN PORTION FOR LEVY
Town of Litchfield	442.74		442.74	62.64
Ilion - Village	5,193.93		5,193.93	1,252.19
City of Little Falls	245.74		245.74	0.00
Town of Manheim	15.24		15.24	$3.71
Town of Webb	$242,798.70		$242,798.70	$242,685.30

TOTALS	$248,696.35	$248,696.35	$244,003.84

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: October 23, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Malta, Report and Resolution No. 344 sponsored by the Committee on Ways & Means authorizing transfer of funds in District Attorney's Office was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 344

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN DISTRICT ATTORNEY'S OFFICE

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 September 30, 2024, submitting a request for a transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sum from and to the following accounts in the 2024 Budget:

$30,000	From:	A1990.46000, Contingent Fund, Miscellaneous Expense
	To:	A1168.40000, Prosecutor's Fund, Contractual Expense

and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Donley, seconded by Mr. Weakley, Report and Resolution No. 345 sponsored by the Committee on County Properties and the Committee on Ways & Means amending Salary Schedule No. III in the Maintenance Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Conover, Weakley (17).

Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 345

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN THE MAINTENANCE DEPARTMENT

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

WHEREAS, by letter dated September 30, 2024 from Donal Moynihan, Maintenance Supervisor, this Legislature is advised of a request to amend Salary Schedule No. III; and

WHEREAS, by letter dated October 1, 2024, Steven Billings, Personnel Officer, requests to amend Salary Schedule No. III to add one position of Building Maintenance Worker in Account A1620 at a 2024 annual base salary of $35,600 per year; and

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

RESOLVED, that the 2024 Salary Schedule III is hereby amended in Account A1620 to add one position of Building Maintenance Worker, at an annual base salary of $35,600; and, be it further

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

Dated: October 23, 2024.

Chairman Hollum dispensed with the regular session to asked the County Attorney to give a brief description of the difference between a voice vote and a roll call vote to the students in attendance.

On motion of Mr. Brewer, seconded by Mr. Beach, Report and Resolution No. 346 sponsored by the Committee on Public Safety & Emergency Management and the Committee on

Ways & Means approving purchase for Sheriff's Department and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 346

REPORT AND RESOLUTION APPROVING PURCHASE FOR SHERIFF'S DEPARTMENT AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated October 4, 2024, Scott F. Scherer, Sheriff, has requested approval to purchase a pistol permit software system from Info Quick Solutions, Inc., 7460 Morgan Road, Liverpool, NY 13090, at a cost of $28,000, plus the first year maintenance of $4,500, for a total of $32,500; and

WHEREAS, by letter dated October 4, 2024, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a transfer of funds will be necessary to complete the purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above described purchase; and, be it further

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 in the 2024 Budget:

$32,500 From: A1990.46000, Contingent Fund, Miscellaneous Expense
To: A3110.25000, Sheriff, Other Equipment

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 23, 2024.

On motion of Mr. Donley, seconded by Mr. Keeler, Report and Resolution No. 347 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving purchase of vehicle for Sheriff's Department and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 347

REPORT AND RESOLUTION APPROVING PURCHASE OF VEHICLE FOR SHERIFF'S DEPARTMENT AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated September 27, 2024, Scott F. Scherer, Sheriff, has requested approval to purchase one 2025 Chevrolet Tahoe SSV at a cost of $54,024.00 with JPJ Electronic Communications installing the police equipment in the vehicle at a price of $5,019.90, for a total cost of $59,043.90; and

WHEREAS, by letter dated September 30, 2024, Sheri Ferdula, Budget Officer/ Purchasing Agent has advised the Tahoe will be purchased from Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, NY, 14043, and that a transfer of funds will be necessary to complete the purchase; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the above described purchases; and, be it further

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 in the 2024 Budget:

$59,043.90 From: A4330.44000, Mental Illness, Contracted
To: A3110.23000, Sheriff, Motor Vehicles

and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Weakley, seconded by Mr. Gaworecki, Report and Resolution No. 348 sponsored by the Committee on Ways & Means authorizing payments for requests from American Rescue Plan funding was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 348

REPORT AND RESOLUTION AUTHORIZING PAYMENTS FOR REQUESTS FROM AMERICAN RESCUE PLAN FUNDING

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 16 of 2023 authorized $50,000 of the County's American Rescue Plan funding to each Legislator to distribute within their districts as they see fit; and

WHEREAS, by letter dated September 30, 2024 from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, she has advised that communications have been received requesting funding and has been approved for payment by the Legislator receiving the request for payment as follows:

Herkimer County Humane Society	Malta	$2,779
Herkimer County Humane Society	Keeler	$9,000
St. Francis School	Keeler	$9,000

now, therefore, be it

RESOLVED, that authorization is given for payment to the above recipients in the amounts listed; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Swartz, seconded by Mr. Beach, Report and Resolution No. 349 sponsored by the Committee on Highways and the Committee on Ways & Means extending agreements for snow and ice control with State of New York was handed up; voted on and adopted by voice vote:

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

Abstain: Gaworecki (1).

HERKIMER COUNTY LEGISLATURE

No. 349

REPORT AND RESOLUTION EXTENDING AGREEMENTS FOR SNOW AND ICE CONTROL WITH STATE OF NEW YORK

Sponsored by: Committee on Highways
Committee on Ways & Means

WHEREAS, the County of Herkimer, pursuant to Section 12 of the Highway Law relating to plowing snow and to control snow and ice on state highways in the towns and incorporated villages of the County, has heretofore entered into an agreement dated July 1, 1974, with the State of New York for such purposes; and

WHEREAS, Sections 7 and 10 of said agreement provide a method of modification of the map of affected state highways and of annually updating the estimated expenditures; and

WHEREAS, by communication dated September 5, 2024, the County Superintendent of Highways has submitted contracts in form prepared by the State of New York for a five year extension, starting on July 1, 2024 and terminating June 30, 2029; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute a five year extension of said Snow and Ice Control Agreement for the period of July 1, 2024 through June 30, 2029 at an estimated expenditure of $7,716,355.55 for 2024-2029; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Superintendent of Highways, and New York State Department of Transportation.

Dated: October 23, 2024.

On motion of Mr. Weakley, seconded by Mr. Haehl, Report and Resolution No. 350 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 (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 350

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, 2023 through September 29, 2027 and it is necessary to enter into agreements in order to fulfill the requirements and goals of the grant; and

WHEREAS, by letter dated October 3, 2024 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
   - $390,212 for the following positions and services: Project Director, Family Services Coordinator, Support Coordinator, Counselor, Outreach Coordinator, Supervisor, SPIN Services, Administration, Office Space, Survey Monkey licenses
2. **Catholic Charities of Herkimer County –** Maureen Petrie, 61 West St., Ilion, NY 13357
   - $44,459 for the services of a part-time Youth Engagement Specialist (17.5 hours per week), to facilitate and coordinate Girls Circle groups, as well as training, supplies, and youth activities
3. **Cornell Cooperative Extension, Child Care Council –** MaryBeth McKewan, 121 Second Street, Oriskany, NY 13424
   - $65,547 for the services of a full time Subject Educator, as well as supervision, Administration, training, and curricula
4. **The Neighborhood Center –** Sandra Soroka, 624 Elizabeth St., Utica, NY 13501
   - $29,865 for the services of a Licensed Social Worker, a Psychiatric Nurse Practitioner, and expanded MCAT services
5. **Upstate Caring Partners/Community Health and Behavioral Services –** Geno DeCondo, 125 Business Park Dr., Utica, NY 13502
   - $20,786 for the services of a part-time Licensed Mental Health Clinician to serve SOC youth and families
6. **Connected Community Schools –** Danielle Martin, 207 N. James St., Rome, NY 13440
   - $98,214 for a full time Youth Ambassador Coordinator, to create Youth Councils comprised of youth aged 13-18 in multiple school districts, co-facilitate Girls Circle groups, implement the One Trusted Adult curriculum, and facilitate the Mother-Daughter Girls Circle model
7. **View Point Clinical Therapy Services –** Brooke Lewis, 502 Court St., Suite 403, Utica, NY 13502
   - $89,500 for a full-time Master's Level Social Worker who will provide in-home therapy sessions to SOC youth and families, as well as in-school or virtual sessions if preferred by the family. This amount covers salary, travel, training, meeting attendance, and administration
8. **Adam Palmer Consulting Solutions –** Adam Palmer, 4 Elmwood Avenue, Yorkville, NY 13495
   - $70,000 to perform the required evaluation of this SAMHSA Project; to include YRBS data analysis and written reports for both the county and individual school districts, analysis of Girls Circle groups pre-post test results, review and analysis of RBA data, SDQ, CTS, and ASQ surveys, and submitting a year-end report to the funder

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 23, 2024.

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 351 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant, creating project, 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. 351

REPORT AND RESOLUTION ACCEPTING GRANT, CREATING PROJECT, AND AMENDING BUDGET FOR HEALTHY FAMILIES PROGRAM

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

WHEREAS, by letter dated October 3, 2024, 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 October 3, 2024, from Sheri A. Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that it will be necessary to create a project and amend the 2024 Herkimer County Budget in connection with the receipt of said grant in the amount of $788,691 for the period of September 1, 2024 to August 31, 2025; 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 2024-25 Healthy Families Grant for Herkimer County in the amount of $788,691 for the period of September 1, 2024 to August 31, 2025; and, be it further

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

Revenue Account: Project PH13-18

A4189H-3401, Healthy Families	From:	$0
	To:	$788,691

Expense Account: Project PH13-18

A4189H.10000-001, Healthy Families, Salaries,	From:	$0
	To:	$350,000
A4189H.46000, Healthy Families, Miscellaneous Expense	From:	$0
	To:	$223,166
A4189H.81000, Healthy Families, Retirement	From:	$0
	To:	$60,000
A4189H.83000, Healthy Families, Social Security	From:	$0
	To:	$21,700
A4189H.83500, Healthy Families, Medicare	From:	$0
	To:	$5,075
A4189H.84000, Healthy Families, Workers Comp	From:	$0
	To:	$8,750
A4189H.86000, Healthy Families, Health Insurance	From:	$0
	To:	$120,000

and, be it further

RESOLVED, that the Herkimer County Treasurer is authorized to make any necessary budget amendments to sync the County budget with the State budget once the final approved budget categories within the State system are available on October 25, 2024; 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: October 23, 2024.

On motion of Ms. Bennett, seconded by Mr. Haehl, Report and Resolution No. 352 sponsored by the Committee on Human Resources and the Committee on Ways & Means establishing rates for Preschool Special Education related services in Public Health was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 352

REPORT AND RESOLUTION ESTABLISHING RATES FOR PRESCHOOL SPECIAL EDUCATION RELATED SERVICES IN PUBLIC HEALTH

Sponsored by: Committee on Human Resources

Committee on Ways and Means

WHEREAS, by letter dated October 3, 2024, Christina Cain, Director of Public Health, has requested to set rates for Preschool Special Education Related Services that have not yet been established; and

WHEREAS, these rates are required to be set and approved by NYSDOH in order to facilitate programmatic reimbursement; and

WHEREAS, said letter further states these rates being approved does not mean that the service will be utilized, it only means that if Public Health is required to provide the service in accordance with the child's IEP, they are ensured the ability to request reimbursement; now, therefore, be it

RESOLVED, that the rates on the attachment are hereby established for Public Health to request reimbursement for Preschool Special Education Related Services; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 353 sponsored by the Committee on County Properties and the Committee on Ways & Means approving contract for architectural and engineering services, creating project, and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 353

REPORT AND RESOLUTION APPROVING CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES, CREATING PROJECT, AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated October 9, 2024 from Sheri Ferdula, Budget Officer/ Purchasing Agent this Legislature is advised that a proposal has been received for architectural and engineering services for upgrades to the 109 Mary Street building, from In-Architects, 239 East Water Street, 2nd Floor, Syracuse, NY 13202, at a cost of $71,270 plus reimbursables; and

WHEREAS, the complete proposal consists of the following:

Lump Sum Fees:

	IN Architects	C&S Companies
Existing Documentation & Survey	$8,000	$11,870
Schematic Design	$12,000	$3,000
Design Development	$8,000	$2,000
Construction Documents	$12,000	$1,800
Total	$40,000	$18,670

Hourly Fees: (estimated)

	IN Architects	C&S Companies
Bidding & Permitting	$3,000	$1,300
Construction Administration	$7,000	$1,300
Total	$10,000	$2,600

and

WHEREAS, said letter advises that it is necessary to create a project and transfer funds to award the contract; now, therefore, be it

RESOLVED, that a project is hereby created and a transfer of funds within the 2024 budget be made as follows:

Transfer:

$76,270	From:	A4089, Federal Aid, ARPA
	To:	H4097, Fed Aid, Capital Project, Project 16-7
$76,270	From:	A1989A.46000, ARPA, Miscellaneous
	To:	H1620.40000, Buildings, Contractual, Project 16-7

and, be it further

RESOLVED, that the proposal be awarded to the aforementioned contractor, in the amount of $71,270 plus reimbursables; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Schrader, seconded by Mr. Donley, Report and Resolution No. 354 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means deleting position of Executive Assistant for Indigent Legal Services in the County Attorney's was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Beach, Ackerman, Donley, Campione, Haehl, Conover, Weakley (17).

Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 354

REPORT AND RESOLUTION DELETING POSITION OF EXECUTIVE ASSISTANT FOR INDIGENT LEGAL SERVICES IN THE COUNTY ATTORNEY'S OFFICE

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

WHEREAS, Resolution No. 112 of 2022 amended Salary Schedule No. III to establish the position of Executive Legal Assistant for Indigent Legal Services; and

WHEREAS, by letter dated October 8, 2024 from Steve Billings, Personnel Officer, this Legislature has been notified of a request to delete a full-time position of Executive Assistant for Indigent Legal Services in Account A1170B, effective November 9, 2024; and

WHEREAS, your Committee has taken this matter under consideration and recommend to delete the aforesaid position; now, therefore, be it

RESOLVED, that the 2024 Salary Schedule III is hereby amended in A1170B to delete the position of Executive Assistant for Indigent Legal Service, effective November 9, 2024; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Campione, seconded by Mr. Bick, Report and Resolution No. 355 sponsored by the Committee on Ways & Means concerning contribution to appraisal costs in Tractor Supply tax certiorari proceedings was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 355

REPORT AND RESOLUTION CONCERNING CONTRIBUTION TO APPRAISAL COSTS IN TRACTOR SUPPLY TAX CERTIORARI PROCEEDINGS

Sponsored by: Committee on Ways and Means

WHEREAS, Tractor Supply Company #771 has commenced a tax challenge against the Board of Assessors and/or the Assessor of the Town of Frankfort for the assessment year 2024 to reduce assessed value from $57,800,000 to $5,780,000; and

WHEREAS, involved taxing jurisdictions Town of Frankfort, Frankfort-Schuyler Central School District and the County of Herkimer anticipate that a joint defense effort is warranted; and

WHEREAS, the Town of Frankfort has retained Attorney Karl Manne, Herkimer, New York to represent the Town; and

WHEREAS, the County of Herkimer is willing to contribute to the joint defense of this matter by contributing on a pro rata basis to the cost of a commercial appraisal of the above property; now, therefore, be it

RESOLVED, that the County of Herkimer shall enter into a retainer agreement with the other parties with a qualified commercial appraiser and said retainer shall provide for sharing of the cost of a professional appraisal on a pro rata basis; and, be it further

RESOLVED, that the County of Herkimer enter into a Contract for Appraisal/Valuation Services with an appraiser selected by Attorney Karl Manne and approved of by the County of Herkimer; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be authorized to execute the above Contract for Appraisal/Valuation Services, upon 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, Karl Manne, Esq. and Frankfort-Schuyler School District.

Dated: October 23, 2024.

On motion of Mr. Conover, seconded by Mr. Beach, Report and Resolution No. 356 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing agreement with Enhanced Representation, Inc. regarding Indigent Representation was handed up; voted on and adopted by voice vote:

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

HERKIMER COUNTY LEGISLATURE

No. 356

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH ENHANCED REPRESENTATION, INC. REGARDING INDIGENT REPRESENTATION

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

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

WHEREAS, said Resolution No. 17 of 2020 was further amended by Resolution No. 74 of 2022, Resolution No. 97 of 2022 and Resolution No. 31 of 2024; and

WHEREAS, by letter dated October 3, 2024 from Lorraine H. Lewandrowski, Herkimer County Attorney, this legislature has been advised of a request for an agreement regarding indigent representation improvements in the areas of quality improvement, case load relief and counsel at arraignment, with Enhanced Representation, Inc. to provide these services; and

WHEREAS, said letter advises that Attorney Keith Bowers proposes that any and all support staff, with the exception of the data officer, be provided through Enhanced Representation, Inc; and

WHEREAS, said letter advises that the current County Employee position providing support services to Enhanced Representation, Inc, would be terminated effective November 9, 2024 and will become the responsibility of Enhanced Representation, Inc. effective November 11, 2024; and

WHEREAS, as consideration for providing these services, the County shall pay to Enhanced Representation, Inc., compensation in an amount as approved by ILS as reimbursable to the County; now, therefore, be it

RESOLVED, that the County shall hereafter pay to Enhanced Representation, Inc. such amount of money as is set forth in the budget line titled Assigned Counsel Administration which is the combination of Deputy Administrator, Deputy Administrator fringe and ACP Administrator, and such obligation is in reliance upon the premises that such sums will be reimbursable to the County from Indigent Legal Services as approved by the Budget Officer and County Auditor; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to execute the Agreement Regarding Indigent Representation Improvements, upon approval of the County Attorney; and, be it further

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

Dated: October 23, 2024.

On motion of Ms. Bennett, seconded by Mr. Haehl, Report and Resolution No. 357 sponsored by the Committee on Education and the Committee on Ways & Means authorizing Chairman to sign proposal in connection with Herkimer County Community College project was handed up; voted on and adopted by voice vote:

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

Abstain: Ackerman (1).

HERKIMER COUNTY LEGISLATURE

No. 357

REPORT AND RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROPOSAL IN CONNECTION WITH HERKIMER COUNTY COMMUNITY COLLEGE PROJECT

Sponsored by: Committee on Education
Committee on Ways and Means

WHEREAS, by letter dated October 17, 2024 from Sheri Ferdula, Budget Officer/ Purchasing Agent, she has advised that National Grid poles must be removed in order to move forward with the Herkimer County Community College softball field project; and

WHEREAS, said letter further requests the Chairman be authorized to sign the proposal in the estimated amount of $15,706.96 and that the payment be made as required, prior to the work being completed; now, therefore, be it

RESOLVED, that authorization is given for the Chairman to sign the proposal for National Grid to remove the poles necessary to move forward with the Herkimer County Community College softball field project in the amount of $15,706.96, and for payment to be made as required, prior to the work being completed; and, be it further

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

Dated: October 23, 2024.

On motion of Ms. Bennett, seconded by Mr. Beach, Report and Resolution No. 358 sponsored by the Committee on Education and the Committee on Ways & Means concerning change orders on proposal for roof replacement on the Physical Education building 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. 358

REPORT AND RESOLUTION CONCERNING CHANGE ORDERS ON PROPOSAL FOR ROOF REPLACEMENT ON THE PHYSICAL EDUCATION BUILDING AT HERKIMER COUNTY COMMUNITY COLLEGE

Sponsored by: Committee on Education
Committee on Ways and Means

WHEREAS, Resolution No. 244 of 2024, this Legislature awarded a proposal for roof replacement on the Physical Education building at the Herkimer County Community College, in the amount of $3,726,536; and

WHEREAS, your Committees have been informed by letter dated October 16, 2024 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, that two change orders have been presented for approval and are necessary to complete the work as follows:

$23,727	Removal of existing metal wall panels, supply & install plywood substrate and installation of new membrane flashings
$55,838	Provide and install new 3 12 ga. metal strapping and new ¾ CDX plywood and remove all construction debris from the site

and

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

RESOLVED, that the Herkimer County Legislature approves the above listed change orders for the proposal for roof replacement on the Physical Education building at the Herkimer County Community College with Garland/DBS, Inc., bringing the new contract total to $3,806,101; and, be it further

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

Dated: October 23, 2024.

On motion of Mr. Malta, seconded by Mr. Schrader, Resolution No. 359 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing application for and acceptance of Brownfield Coalition Grant was handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: None.

HERKIMER COUNTY LEGISLATURE

No. 359

RESOLUTION AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF BROWNFIELD COALITION GRANT

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

WHEREAS, the Environmental Protection Agency [hereafter "EPA"] currently funds grants through the EPA Brownfield Coalition Grant program to fund assessment, cleanup and reuse of brownfield sites; and

WHEREAS, by letter of John J. Piseck, Jr., Chief Executive Officer of Herkimer County Industrial Development Agency dated October 22, 2024, a request has been made that this Legislature authorize and support a Herkimer County application for a US Environmental Protection Agency Brownfield Coalition Grant in an amount of up to $1,200,000; and

WHEREAS, it is further requested that Herkimer County, the Herkimer County Industrial Development Agency and Naturally Lewis (Lewis County) would work together to assess, clean up and reuse brownfield sites; and

WHEREAS, it is further requested that the grant would be administered by the Herkimer County Industrial Development Agency through a sub recipient agreement; now, therefore, be it

RESOLVED, that this Legislature authorizes the application on behalf of the County to apply for the above grant in an amount up to $1,200,000; and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign and certify the necessary documents in support of the County application for said grant; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is further authorized to sign a subrecipient agreement with the Herkimer County Industrial Development Agency; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to the Herkimer County Industrial Development Agency, Naturally Lewis, the Herkimer County Budget Officer and the Herkimer County Auditor.

Dated: October 23, 2024.

Chairman Hollum stated that pursuant to Rule 6(12) they would proceed with comments by Legislators. There were no comments.

At 7:27 p.m. on motion of Mr. Malta, seconded by Mr. Brewer, the Legislature adjourned to Wednesday, November 13, 2024 at 7:00 p.m., with a Public Hearing on Introductory Local Law B at 6:15 p.m. and a Public Hearing on the Sewer District Assessment Roll at 6:17 p.m.

Brittney R. Viscomi, Clerk