

MINUTES
Herkimer County Legislature
Second Quarter – Second Day
Wednesday, April 28, 2021
7:00 p.m.

Public Hearing

The Public Hearing on the Open Enrollment Period for 2021 for Inclusion in Agricultural District No. 1 was called to order at 6:45 p.m. by Peter J. Campione, Chairman of the Natural Resources Committee. The Clerk read the Notice. Mr. Campione then asked if there was anyone wishing to speak on the hearing. There were no requests to speak, and the hearing was declared closed at 6:46 p.m.

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the Herkimer County Legislature will hold a Public Hearing on the proposed modifications of Herkimer County Agricultural District No. 1. The Public Hearing will be held on Wednesday, April 28, 2021 at 6:45 p.m., in the Herkimer County Legislature Chambers in Herkimer, New York.

Two (2) landowners have submitted requests in 2021 for inclusion of predominantly viable agricultural land within a certified agricultural district, and these requests have been filed with the Herkimer County Legislature pursuant to Section 303-b of the NYS Agriculture and Markets Law. The parcels are located in the Towns of Russia, Newport, and Warren, which are part of or adjacent to Agricultural District No. 1.

The public hearing shall be held to consider these landowners' requests and the recommendations of the Herkimer County Agricultural and Farmland Protection Board.

Dated at Herkimer, New York
April 19, 2021.
Brittney R. Viscomi, Clerk
Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:00 p.m.

Chairman Bono called on Legislator John Brezinski 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, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Absent: Johnson (1).

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. The following individual spoke on the topic listed: Carl Streeter – New County Jail.

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 April 7, 2021. 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. 117 – A communication was received from the Soil and Water Conservation District submitting notice of meeting. Filed.

No. 118 – A communication was received from the Director of Community Services submitting appointment to Community Services Board. Filed.

No. 119 – A communication was received from the Director of Community Services submitting appointment to Community Services Board. Filed.

No. 120 – A communication was received from the Solid Waste Authority submitting minutes and Resolutions. Filed.

No. 121 – A communication was received from HDR Engineering, Inc. submitting Hydroelectric Pre-Application Document Information Questionnaire. Filed.

No. 122 – A communication was received from the Hamilton County Board of Supervisors submitting Resolution urging the Governor and Federal Government to expand broadband and rural cellular coverage to all New Yorkers. Filed.

No. 123 – A communication was received from the Sheriff submitting monthly report for February 2021. Referred to the Committee on Public Safety & Emergency Management.

No. 124 – A communication was received from the STOP-DWI Coordinator submitting 2020 Annual Report. Referred to the Committee on Public Safety & Emergency Management.

No. 125 – A communication was received from the Executive Director of the Youth Bureau submitting 2020 Annual Report. Referred to the Committee on County Planning & Development.

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

No. 127 – A communication was received from the Commissioners of Elections requesting the extension of Poll Worker Training/Voter Education Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 128 – A communication was received from the Highway Superintendent requesting 2021 Capital Construction Projects. Referred to the Committee on Highways.

No. 129 – A communication was received from HOCCPP submitting applications and maps for additions to 2021 Agricultural District. Referred to the Committee on Natural Resources.

No. 130 – A communication was received from the Director of Community Services requesting to amend contracts due to increased State funding. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 131 – A communication was received from the Director of Public Health requesting to enter into contracts and amend Res. No. 72 of 2021 in connection with System of Care Grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 132 – A communication was received from the Director of Emergency Services requesting authorization for purchase and e-signature of SHSP grant. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 133 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation of funds to the IDA. Referred to the Committee on Ways & Means.

No. 134 – A communication was received from the Commissioner of Social Services submitting request for renewal of agreement for SPIN contract with ICAN. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 135 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule III in Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 136 – A communication was received from the County Treasurer requesting adoption of policy regarding "Deferred Inflows of Resources." Referred to the Committee on Ways & Means.

No. 137 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in DSS. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 138 – A communication was received from the County Administrator requesting Resolution to adjust the promissory note from the Herkimer County IDA. Referred to the Committee on Ways & Means.

No. 139 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with receipt of funding for the Herkimer County IDA. Referred to the Committee on Ways & Means.

No. 140 – A communication was received from the Budget Officer/Purchasing Agent requesting to approve award of contracts for the Historic 1834 Jail and appropriate funding. Referred to the Committee on County Properties and the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Legislator Hollum, Chairman of the Committee on Administration/Veterans' Affairs gave an update on the Board of Elections; Legislator Campione, Chairman of the Committee on Natural Resources, informed the Legislature that the Farmland Protection Plan is complete and printed; Legislator Stephens, Chairman of the Public Safety & Emergency Management Committee, gave an update on the new County Correctional Facility; Chairman Bono gave an update on businesses coming to Herkimer County Business Parks.

On motion of Mr. Stephens, seconded by Mr. Ackerman, Resolution No. 213 – Resolution No. 218 were handed up; voted on and adopted by voice vote:

For: Ayes (17). Against: None. Absent: Johnson (1).

Consent Agenda:

- 95 CO. PLANNING & DEV.: Adopting Annual Report of Youth Bureau
- 96 PUB. SFTY./EMER. MGMT: Adopting Annual Report of Herkimer County STOP-DWI Program
- 97 WAYS & MEANS: Authorizing transfer of funds in Sewer District

The Chairman continued with the Regular Agenda.

On motion of Mr. Hollum, seconded by Mr. Gaworecki, Report and Resolution No. 98 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means extending contract for grant for Board of Elections was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 99 sponsored by the Committee on Highways approving projects under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 100 sponsored by the Committee on Natural Resources to provide that the additions to the existing Agricultural District for the year 2021 pursuant to Section 303-b of the Agriculture and Markets Law is in compliance with the provisions of the New York State Environmental Quality Review Act was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Ackerman, seconded by Mr. Campione, Report and Resolution No. 101 sponsored by the Committee on Natural Resources approving additions to the existing Agricultural District for the year 2021 was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 102 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Resolution No. 72 of 2021 authorizing contracts in connection with System of Care Grant in Public Health was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Schrader, seconded by Mr. Gaworecki, Report and Resolution No. 103 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending contracts for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Shaw, seconded by Mr. Manno, Report and Resolution No. 104 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 (16). Against: None. Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 105 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing e-signature for grant in Emergency Services was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 106 sponsored by the Committee on Information Services and the Committee on Ways & Means amending Salary Schedule No. III in Information Services was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Shaw, Report and Resolution No. 107 sponsored by the Committee on Ways & Means appropriating funds in connection with Industrial Development Agency was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Johnson (1).

On motion of Mr. Shaw, seconded by Mr. Schrader, Report and Resolution No. 108 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of agreement for Service Provisions for Individual Needs (SPIN) contract with ICAN in relation to Raise the Age Program implementation was handed up; discussion was held; voted on and adopted by voice vote:

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

On motion of Mr. Ackerman, seconded by Mr. Shaw, Report and Resolution No. 109 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract with Catholic Charities for the provision of Supervised Visitations/Parent Education Services and amending budget in Department of Social Services was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Russell, seconded by Mr. Donley, Report and Resolution No. 110 sponsored by the Committee on Ways & Means adopting Deferred Inflows of Resources Policy was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Gaworecki, seconded by Mr. Schrader, Report and Resolution No. 111 sponsored by the Committee on County Properties authorizing transfer of 357/359 King Street to the Village of Herkimer was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Johnson (1).

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 112 sponsored by the Committee on Ways & Means authorizing cancellation of a portion of promissory notes from the Herkimer County Industrial Development Agency (IDA) to Herkimer County was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Johnson (1).

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 113 sponsored by the Committee on Ways & Means amending budget in connection with receipt of Economic Development Assistance funding from the Office of Community Renewal was handed up; voted on and adopted by voice vote:

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

On motion of Mr. Keeler, seconded by Mr. Russell, Report and Resolution No. 114 sponsored by the Committee on County Properties and the Committee on Ways & Means approving awarding of bids for Historic 1834 Jail and appropriating funds was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: Johnson (1).

On motion of Mr. Brezinski, seconded by Mr. Smith, Resolution No. 115 sponsored by the Committee on Administration/Veterans' Affairs making appointment to the Capitol District Regional Off-Track Betting Corporation was handed up; discussion was held; voted on and adopted by voice vote:

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

On motion of Mr. Smith, seconded by Mr. Brezinski, Resolution No. 116 In Memoriam of Domiano “Dip” Contino, former Herkimer County Legislator, was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Johnson (1).

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

At 7:31 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, May 19, 2021 at 7:00 p.m.

Brittney R. Viscomi, Clerk



HERKIMER COUNTY LEGISLATURE

No. 95

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on County Planning and Development

WHEREAS, your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau for the year 2020 respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Youth Bureau for the year 2020 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 96

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STOP-DWI PROGRAM

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, your Committee on Public Safety and Emergency Management, to which was referred the Annual Report of the Herkimer County STOP-DWI Program for the year 2020, respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County STOP-DWI Program for the year 2020 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 97

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN HERKIMER COUNTY SEWER DISTRICT

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 April 7, 2021, submitting a request for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, recommend that said transfers 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 2021 Budget:

Transfer:

\$2,000

From: G8130.23000, Sewer District, Motor Vehicles

To: G8130.22000, Sewer District, Computer Equipment

and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 98

REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

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

WHEREAS, this Legislature has approved contracts and extensions of contracts with the State of New York to receive certain grant funding in connection with Voter Education/Poll Worker Training and the New York State Poll Site Access Improvement contracts, most recently by Resolution No. 112 of 2020; and

WHEREAS, by letter dated April 6, 2021 from the Commissioners of Elections, your Committees have been advised that the New York State Board of Elections has notified them that the Voter Education/Poll Worker Grant has been extended to March 31, 2022; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension to March 31, 2022 on behalf of the County of Herkimer with the New York State Board of Elections, in connection with the Voter Education/Poll Worker Training Program for the remaining grant funds of \$4,169.89; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to execute future extensions for the duration of said grant, so long as an unexpended balance remains and no other amendments to said grant are made; 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: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 99

REPORT AND RESOLUTION APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred the letter of Mark Nagele, County Superintendent of Highways, dated April 7, 2021, submitting three copies each of statement under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2021 covering two projects involved in the Capital Construction Program, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designate work to be done with County Road Fund monies be, and hereby are, approved by the County Legislature of the County of Herkimer for the following projects involved in the Capital Construction Program, to be funded as listed:

PROJECT NO.	ROAD/LOCATION	TYPE OF PROJECT	ESTIMATED CONSTRUCTION COST
410	Shoemaker Road, CR 68, Town of German Flatts	Engineering/Design	\$65,000.00
411	Meeting House and Cross Roads, CR172/CR195, Town of Winfield	Engineering/Design	\$65,000.00

and, be it further

RESOLVED, that these projects will be funded by CHIPS, EWR, and 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: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 100

REPORT AND RESOLUTION TO PROVIDE THAT THE ADDITIONS TO THE EXISTING AGRICULTURAL DISTRICT FOR THE YEAR 2021 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW IS IN COMPLIANCE WITH THE PROVISIONS OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

Sponsored by: Committee on Natural Resources

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA), Article 8 of the NYS Environmental Conservation Law and Part 617 of Title 6, New York Code Rules and Regulations (6NYCRR) to incorporate the consideration of environmental factors into existing planning, review and decision-making processes of local government agencies; and

WHEREAS, SEQRA requires that all agencies determine whether the actions they directly undertake, fund, or approve may have a significant effect on the environment; and

WHEREAS, the Herkimer County Legislature has under consideration requests from two landowners pursuant to Resolution 146 of 2004, which established the month of January of each year as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within the existing agricultural district; and

WHEREAS, your Committee has designated the project as an Unlisted Action pursuant to SEQRA and completed an uncoordinated review of the proposed modifications of the agricultural districts; and

WHEREAS, your Committee has fully considered, assessed and discussed the information contained within the Environmental Assessment Form; now, therefore, be it

RESOLVED, that based on the information provided and discussed, the Herkimer County Legislature has determined that the proposed action will not result in any significant adverse environmental impacts; and, be it further

RESOLVED, that the reasons supporting this determination are documented on the Environmental Assessment Form, within a packet of attachments to the forms, and on additional supporting documentation; and, be it further

RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the County, as lead agency, hereby issues a negative declaration and directs that the Chairman of the Legislature file and make available the same in accordance with the requirements of SEQRA Law.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 101

REPORT AND RESOLUTION APPROVING ADDITIONS TO THE EXISTING AGRICULTURAL DISTRICT FOR THE YEAR 2021

Sponsored by: Committee on Natural Resources

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for requests by landowners for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, upon recommendation of the Agricultural and Farmland Protection Board, the Herkimer County Legislature established the month of January as the 30-day period in which landowners may petition Herkimer County for inclusion of parcels within the existing agricultural district during the year 2021; and

WHEREAS, Herkimer County received requests from two landowners for inclusion of seven parcels of land within the existing agricultural district; and

WHEREAS, the Herkimer County Agricultural & Farmland Protection Board determined that said parcels proposed for inclusion in the agricultural district consist predominately of viable agricultural land, and that the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the agricultural districts; and

WHEREAS, the Agricultural & Farmland Protection Board recommended that said parcels listed on the attached list be included in the agricultural district as viable agricultural land; and

WHEREAS, the Herkimer County Legislature held a public hearing on April 28, 2021; and

WHEREAS, the Herkimer County Legislature has determined pursuant to the State Environmental Quality Review Act, that the proposed action will not have a significant impact on the environment; now, therefore, be it

RESOLVED, that the Herkimer County Legislature does hereby approve the seven parcels listed on the attached list for inclusion in agricultural district as viable agricultural land.

Dated: April 28, 2021.

HERKIMER COUNTY NY'S AGRICULTURAL DISTRICTS OPEN ENROLLMENT 2021

<u>OWNER</u>	<u>PARCEL NUMBER</u>	<u>ACRES</u>	<u>MUNICIPALITY</u>	<u>DISTRICT</u>	<u>COMMENT</u>	<u>FARM TYPE</u>
FIVE BROOK FARM FAMILY TRUST	089-1-2-28.3	0.1	NEWPORT	1	NEW OE 2021	DAIRY, VEGETABLE, FRUIT & BERRY, GOATS, POULTRY, CHRISTMAS TREE, FIREWOOD, LUMBER
FIVE BROOK FARM FAMILY TRUST	089-3-1-14	155.4	NEWPORT	1	NEW OE 2021	DAIRY, VEGETABLE, FRUIT & BERRY, GOATS, POULTRY, CHRISTMAS TREE, FIREWOOD, LUMBER
FIVE BROOK FARM FAMILY TRUST	089-3-1-5	74.9	NEWPORT	1	NEW OE 2021	DAIRY, VEGETABLE, FRUIT & BERRY, GOATS, POULTRY, CHRISTMAS TREE, FIREWOOD, LUMBER
FIVE BROOK FARM FAMILY TRUST	089-3-1-6	96.3	NEWPORT	1	NEW OE 2021	DAIRY, VEGETABLE, FRUIT & BERRY, GOATS, POULTRY, CHRISTMAS TREE, FIREWOOD, LUMBER
FIVE BROOK FARM FAMILY TRUST	089-1-2-28.3	4.1	RUSSIA	1	NEW OE 2021	DAIRY, VEGETABLE, FRUIT & BERRY, GOATS, POULTRY, CHRISTMAS TREE, FIREWOOD, LUMBER
FIVE BROOK FARM FAMILY TRUST	089-3-1-6	0.2	NEWPORT	1	NEW OE 2021	DAIRY, VEGETABLE, FRUIT & BERRY, GOATS, POULTRY, CHRISTMAS TREE, FIREWOOD, LUMBER
FERLO, MARK	132-2-1-13.1	14.1	WARREN	1	NEW OWNER	HAY, SWINE, POULTRY, CHRISTMAS TREE, ORCHARD, BEES



HERKIMER COUNTY LEGISLATURE

No. 102

REPORT AND RESOLUTION AMENDING RES. NO. 72 OF 2021 AUTHORIZING CONTRACTS IN CONNECTION WITH SYSTEM OF CARE GRANT IN PUBLIC HEALTH

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

WHEREAS, Resolution No. 72, adopted on March 17, 2021, authorized contracts with ICAN to provide training in the amount of \$129,000 and purchase Klara software for \$44,000; and

WHEREAS, by letter dated April 13, 2021 from Christina Cain, Director of Public Health, she has requested to amend Resolution No. 72 of 2021 to combine the contracts with ICAN into a new, single contract that also includes a new component for social media awareness as follows:

1. ICAN – Steve Bulger, 310 Main St., Utica NY 13501
 - For a contract in an amount not to exceed \$137,000, to include arranging and facilitating a series of trainings for System of Care staff, clients, and communities; purchase of 20 Klara software licenses for 3 years, to be used by service providers working in the System of Care Project; \$33,000 of flex funding; and for development and production of a project logo and brochures for widespread distribution to schools, communities, and clients to help inform the public of this project's purpose and opportunities for services.

now, therefore, be it

RESOLVED, that Resolution No. 72 of 2021 is amended to combine the contracts with ICAN into a new, single contract, contingent upon County Attorney approval and that the Chairman is authorized to execute said contracts, and, be it further

RESOLVED, that in all other respects, Resolution No. 72 of 2021 shall remain in full force and effect; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Public Health, Commissioner of Social Services, Director of the Youth Bureau, and the above listed agency.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 103

REPORT AND RESOLUTION AMENDING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, Resolution No. 326 of 2019, authorized contracts for Herkimer County Mental Health Services; and

WHEREAS, by letters dated April 1, 2021, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to amend contracts due to agencies receiving an increase in State funding; and

WHEREAS, said contracts shall be supported at the 100% State aid level; now, therefore, be it

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

1. Upstate Cerebral Palsy Association
1020 Mary Street
Utica, NY 13501
For a contract sum of \$553,000
2. Catholic Charities
61 West Street
Ilion, NY 13357
For a contract sum of \$545,500
3. Center for Family Life and Recovery
502 Court St., Suite 401
Utica, NY 13502
For a contract sum of \$206,250

and, be it further

RESOLVED, that in all other respects, Resolution No. 326 of 2019 shall remain in full force and effect; and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 104

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

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

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

WHEREAS, by letter dated April 13, 2021 from Christina Cain, Director of Public Health, she has requested to enter into the following contracts:

1. Paige Marketing Communications Group, Inc.: 258 Genesee St., Suite 204, Utica, NY 13502
 - A contract for an amount not to exceed \$30,000, to plan and develop a Social Marketing strategy for the System of Care Project. SAMHSA supports youth driven social marketing schemes that also include community members, service providers, and families in the planning and developing of messaging strategies that align with current project goals and support sustainability efforts. The contractor will facilitate the achievement of this Social Marketing effort, and will produce a fully developed campaign theme and messaging strategy.
2. The Root Farm: 2860 King Road, Sauquoit, NY 13456
 - A contract not to exceed \$3,000 to provide recreational therapy opportunities for youth and families involved with the System of Care.

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, and the above listed agencies.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 105

REPORT AND RESOLUTION AUTHORIZING E-SIGNATURE FOR GRANT IN EMERGENCY SERVICES

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

WHEREAS, by letter dated March 31, 2021, from John J. Raymond, Director of Emergency Services, he has requested the approval/e-signature of their 2020 State Homeland Security Program Grant (SHSP) for a transfer of money on the NYS DHSES side of the grant; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to e-sign the grant on behalf of the County of Herkimer for the 2020 State Homeland Security Program Grant; and, be it further

RESOLVED, that the Chairman will now be authorized to e-sign existing grant contracts when there is a change within the budget as long as there are no changes to the overall dollar amount of the grant; 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: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 106

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN INFORMATION SERVICES

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

WHEREAS, by letter dated April 8, 2021, Kathy Wright, Director of Information Services, has requested to amend Salary Schedule III to add the title of Associate Computer Programmer; and

WHEREAS, by letter dated April 16, 2021, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to add a position of Associate Computer Programmer in Account A1680 at a 2021 hire rate of \$41,406; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to add a position of Associate Computer Programmer in Account A1680 at a 2021 hire rate of \$41,406; and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 107

REPORT AND RESOLUTION APPROPRIATING FUNDS IN CONNECTION WITH INDUSTRIAL DEVELOPMENT AGENCY

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated April 14, 2021 from the Budget Officer/Purchasing Agent, this Legislature is advised of a request to approve an appropriation of funds to the Herkimer County Industrial Development Agency; now, therefore be it

RESOLVED, that an appropriation of funds be authorized as follows:

\$245,000	From: A1990.46000, Contingent Fund, Miscellaneous Expense
	To: A6420.40000, Industrial Development, Contractual

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 IDA.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 108

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT FOR SERVICE PROVISIONS FOR INDIVIDUAL NEEDS (SPIN) CONTRACT WITH ICAN IN RELATION TO RAISE THE AGE PROGRAM IMPLEMENTATION

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

WHEREAS, Resolution No. 276 adopted on October 28, 2020, accepted STSJP funding and authorized a contract with ICAN for Detention Diversion/ Early Intervention Services, with said funding including a separate Raise the Age allocation (STSJP-RTA) which was pending approval by the New York State Division of Budget (NYSDOB); and

WHEREAS, on March 11, 2021, the NYSDOB approved the Herkimer County Raise the Age fiscal plan along with the STSJP-RTA allocation; and

WHEREAS, by letter dated April 7, 2021, Timothy Seymour, Commissioner of Social Services has requested an agreement be established with ICAN, 310 Main Street, Utica, NY 13501 for the provision of Raise the Age (RTA) specific Service Provision for Individual Needs (SPIN) programming to be used exclusively for RTA eligible youth, in an amount not to exceed \$7,500.00 for the period of October 1, 2020 through September 30, 2021, and that the Chairman be authorized to execute the agreement and renew said agreement to provide/coordinate services; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a renewal agreement with ICAN, 310 Main St., Utica, New York, 13501 for the provision of Raise the Age (RTA) specific Service Provision for Individual Needs (SPIN) programming to be used exclusively for RTA eligible youth, in an amount not to exceed \$7,500.00 for the period of October 1, 2020 through September 30, 2021, and that the Chairman be authorized to execute the agreement and renew said agreement to provide/coordinate services; and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 109

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH CATHOLIC CHARITIES FOR THE PROVISION OF SUPERVISED VISITATIONS/PARENT EDUCATION SERVICES AND AMENDING THE BUDGET IN DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated April 6, 2021, Timothy Seymour, Commissioner of Social Services has requested an agreement be established with Catholic Charities of Herkimer County, for the provision of Supervised Visitations/Parent Education Services with the period of performance and financial terms as follows: not to exceed \$36,192 for the period of July 1, 2021 through December 31, 2021 and not to exceed \$72,388 for the period of January 1, 2022 through December 31, 2022; and

WHEREAS, this service will provide weekly or biweekly visits for fifty families annually at intervals determined by Social Services or the court; and

WHEREAS, by letter dated April 19, 2021 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that an amendment in the 2021 budget will be necessary; now, therefore, be it

RESOLVED, that the 2021 budget be amended as follows:

REVENUE:

A6010.3610, DSS Administration, State Aid	From: \$1,353,892
	To: \$1,362,940
A6010.4610, DSS Administration, Federal Aid	From: \$2,785,627
	To: \$2,812,771

EXPENSE:

A6010.44000, DSS Contracted Services	From: \$697,022
	To: \$733,214

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Catholic Charities of Herkimer County, for the provision of Supervised Visitations/Parent Education Services with the period of performance and financial terms as follows: not to exceed \$36,192 for the period of July 1, 2021 through December 31, 2021 and not to exceed \$72,388 for the period of January 1, 2022 through December 31, 2022; and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 110

REPORT AND RESOLUTION ADOPTING DEFERRED INFLOWS OF RESOURCES POLICY

Sponsored by: Committee on Ways and Means

WHEREAS, the County policy for the Deferred Inflows of Resources currently recognizes receivables to be available if collected within 60 days of year end; and

WHEREAS, delays in reimbursements due to COVID and other situations outside of the control of the County have created a need to extend this time period; now, therefore, be it

RESOLVED, that the County Policy for Deferred Inflows of Resources will now recognize receivables as available up to 180 days past year end, retroactive to December 31, 2020, with the exception of property tax collections which will remain at 60 days; and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 111

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF 357/359 KING STREET TO THE VILLAGE OF HERKIMER

Sponsored by: Committee on County Properties

WHEREAS, the premises located at 357/359 King Street in the Village of Herkimer, having Tax Map No. 120.26-3-43 [hereafter “the premises”] were the subject of the In Rem proceedings brought by the County of Herkimer for the tax year 2019; and

WHEREAS, the Village of Herkimer has requested that the County transfer the premises to the Village, and the Village has agreed to indemnify and hold the County harmless from any liability in connection with the premises and the Village has further agreed that in the event that the Village realizes a profit on any eventual sale of the premises that they shall reimburse the County for outstanding taxes, interest, and penalties; and

WHEREAS, by Resolution Number 1 of 2021, the Village Trustees of the Village of Herkimer, authorized the Mayor of the Village of Herkimer to execute an agreement with the County concerning the above premises, and Mayor Mark A. Netti having signed said Agreement with the above terms; now, therefore, be it

RESOLVED, that execution of the above described agreement with the Village of Herkimer by the Chairman of this Legislature is hereby authorized, as well as transfer of the premises to the Village, and upon said transfer, all outstanding tax liens on the premises shall be cancelled; and, be it further

RESOLVED, that upon transfer of the premises to the Village of Herkimer, the County Property Agent is directed to issue and file a Certificate of Cancellation of taxes at that time; and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 112

REPORT AND RESOLUTION AUTHORIZING CANCELLATION OF A PORTION OF PROMISSORY NOTES FROM THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) TO HERKIMER COUNTY

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 104 of 1997 and Resolution No. 266 of 1998, promissory notes were authorized and executed for \$1,597,580.00 owed by the Herkimer County Industrial Development Agency (hereinafter "IDA") to Herkimer County; and

WHEREAS, payments on said promissory notes have been periodically made; and

WHEREAS, by letter dated April 19, 2021, Herkimer County Administrator James W. Wallace, Jr. requests cancellation of \$1,201,572.00 of the existing promissory notes, leaving a total of \$100,000.00 owed by the IDA to Herkimer County; now, therefore, be it

RESOLVED, that the Herkimer County Legislature now cancels \$1,201,572.00 of the existing promissory notes; and, be it further

RESOLVED, that the Herkimer County Treasurer is directed to so note said cancellation and make appropriate adjustments in the records of the Herkimer County Treasurer; and be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 113

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF ECONOMIC DEVELOPMENT ASSISTANCE FUNDING FROM THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated April 22, 2021 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2021 Budget to reflect receipt of economic development assistance funding from the Office of Community Renewal on behalf of Herkimer County for HPK Industries in the amount of \$450,000; now, therefore, be it

RESOLVED, that the 2021 Herkimer County Budget is hereby amended as follows:

A6420.3789C, Industrial Development, State Aid, NYS CDBG	From: \$0
	To: \$450,000
A6420.40000, Industrial Development, Contractual	From: \$165,000
	To: \$615,000

and, be it further

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

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 114

REPORT AND RESOLUTION APPROVING AWARDING OF BIDS FOR HISTORIC 1834 JAIL AND APPROPRIATING FUNDS

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

WHEREAS, the Friends of Historic Herkimer County have received bids for repair work on the Historic Jail; and

WHEREAS, C. T. Male has provided a letter of recommendation to be approved by this Legislature for the following award:

Ganem Construction	\$358,000
Ushers 9 Park Route 9	
PO Box 1349	
Clifton Park NY 12065	

and

WHEREAS, by letter dated April 22, 2021, Sheri Ferdula, Budget Officer/Purchasing Agent has advised that an appropriation to the 2021 Budget will be necessary to ensure proper funding is available in the event of any unforeseen circumstances; now, therefore, be it

RESOLVED, that the Legislature of Herkimer County approves the award and an appropriation of funds be authorized as follows:

\$75,000	From: A1990.46000, Contingent Fund, Miscellaneous Expense
	To: A7520.44000, Historical Association, Contracted Services

and, be it further

RESOLVED that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Friends of Historic Herkimer County, CT Male, and Ganem Construction

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

No. 115

RESOLUTION MAKING APPOINTMENT TO THE CAPITOL DISTRICT REGIONAL OFF-TRACK BETTING CORPORATION

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, the Herkimer County Legislature, by Resolution No. 174 for the year 1978, passed Introductory Local Law No. 2 for 1978 authorizing Herkimer County to become a participating member of the Capitol District Regional Off-Track Betting Corporation; and

WHEREAS, the membership in said corporation entitles the County of Herkimer to name one director as its representative in the corporation; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby appoints Jeffrey M. Stone of Mohawk, New York, as the Herkimer County Director of the Capitol District Regional Off-Track Betting Corporation, effective April 28, 2021, to serve at the pleasure of the Herkimer County Legislature; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Capitol District Regional Off-Track Betting Corporation, the New York State Racing and Wagering Board, and Jeffrey M. Stone.

Dated: April 28, 2021.



HERKIMER COUNTY LEGISLATURE

IN MEMORIAM

No. 116

- WHEREAS,** Domiano “Dip” V. Contino departed this life on April 17, 2021; and
- WHEREAS,** Dip served in the United States Air Force and then returned home to Dolgeville to run the family grocery business called Contino’s Grocery and worked to expand Contino’s Spaghetti Sauce Enterprise. In later years, Dip had a small catering business; and
- WHEREAS,** Dip was elected to the Herkimer County Legislature in District No. 10 representing the Town of Manheim, serving from 1990 through 2000. During his tenure he served as Chairman of the County Legislature from 1996 through 1999, when he supervised the construction of the new Herkimer County Office Building. Prior to that, he was Chairman of the Education Committee and the Highways Committee, he was also a member of the Committees on Personnel, Finance, Public Safety & Emergency Management, and County Properties; and
- WHEREAS,** Dip was appointed as Director of the Herkimer County Industrial Development Agency in 2000; and
- WHEREAS,** Dip is survived by Lois, his wife of 65 years, seven children, and eleven grandchildren; and
- WHEREAS,** The County of Herkimer and its residents have sustained a great loss with the passing of this dedicated public servant and citizen; now, therefore, be it
- RESOLVED,** That the County Legislature does hereby express its deepest regrets at the decease of Domiano “Dip” Contino and hope that this expression of remembrance may in some manner help console his family in their bereavement; and, be it further
- RESOLVED,** That a copy of this Resolution be sent to the family of Domiano “Dip” Contino, and that an additional copy be spread upon the minutes of this meeting.

Dated: April 28, 2021.