

MINUTES
Herkimer County Legislature
Third Quarter – Second Day
Wednesday, August 11, 2021
7:00 p.m.

Public Hearing

The Public Hearing on the 2021-2022 tentative Herkimer County Community College Budget was called to order at 6:30 p.m. by Peter F. Manno, Chairman of the Committee on Education. The Deputy Clerk read the Notice. There were no speakers and the hearing was declared closed at 6:31 p.m.

NOTICE OF HEARING
ON TENTATIVE COLLEGE BUDGET

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer, New York, will meet in the Legislature Chambers at 6:30 p.m. on the 11th day of August, 2021 for the purpose of holding a public hearing on the tentative budget of Herkimer County Community College for the fiscal year September 1, 2021 through August 31, 2022.

FURTHER NOTICE IS HEREBY GIVEN that copies of said tentative budget are available at the office of the Clerk of the Herkimer County Legislature, 109 Mary Street, Suite 1310, Herkimer, New York, where they may be procured by any interested person during business hours.

By Order of the Herkimer County Legislature

Dated: August 2, 2021.

Brittney R. Viscomi, Clerk

Public Hearing

The second (performance) Public Hearing to report project accomplishments relating to Economic Development Assistance from the Office of Community Renewal (OCR) for the \$225,000 award for the Turbo Machined Products, LLC. Project was called to order by Kurt J. Ackerman, Chairman of the County Planning & Development Committee, at 6:35 p.m. Legislator Ackerman asked the Deputy Clerk of the Legislature to call the roll of Legislators. The Deputy Clerk called the roll, the following answered: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (17). Quorum present. Legislator Ackerman asked the Deputy Clerk to read the Notice of Public Hearing. The Deputy Clerk read the Notice. Legislator Ackerman asked that any person wishing to speak to rise, state name and address and limit comment to five minutes. John Piseck, Executive Director of the Industrial Development Agency made a

comment. With no other persons wishing to speak and no persons signed in, the hearing was declared closed at 6:38 p.m.

Jennifer L. Williams, Deputy Clerk
Herkimer County Legislature

LEGAL NOTICE

HERKIMER COUNTY NOTICE OF PUBLIC HEARING

Herkimer County Legislature will hold a public hearing on Wednesday, August 11, 2021 at 6:35 p.m. in the Legislature Chambers, 109 Mary Street, Herkimer, NY, for the purpose of hearing public comments on Herkimer County's current Community Development Block Grant (CDBG) project: No. 528ED932-19, for Turbo Machined Products, LLC in the amount of \$225,000. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefiting low/moderate income persons. The hearing will provide further information about the progress of the ongoing CDBG project. Comments related to the effectiveness of administration of the CDBG project will also be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

The Legislature Chambers is accessible to persons with disabilities. If special accommodations are needed for persons with disabilities, those with hearing impairments, or those in need of translation from English, those individuals should contact Brittney Viscomi, Clerk of the Legislature, at 315-867-1108 at least one week in advance of the hearing date to allow for necessary arrangements. Written comments may also be submitted until August 11, 2021 to:

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

Dated: August 2, 2021.

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 Mark Nagele, County Superintendent of Highways to lead the Legislature in the Pledge of Allegiance.

Chairman Bono called for a moment of silence in recognition of all veterans, past and present.

Roll Call: Quorum present, the following answering the roll:

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

Absent: None.

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. There were no appearances.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of July 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. 226 – A communication was received from the Capital District OTB submitting financial report for March, April & May 2021. Filed.

No. 227 – A communication was received from the Solid Waste Authority submitting Resolutions and Meeting minutes. Filed.

No. 228 – A communication was received from the Soil and Water Conservation District submitting notice of meeting. Filed.

No. 229 – A communication was received from the County Attorney submitting Summons with Notice and Complaint. Filed.

No. 230 – A communication was received from the County Sheriff submitting May Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 231 – A communication was received from the County Highway Superintendent requesting increase in appropriated amount for Project No. 408. Referred to the Committee on Highways.

No. 232 – A communication was received from the County Treasurer requesting advance of funds to the County Road Fund. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 233 – A communication was received from the Director of the Office for the Aging requesting contract renewal for Old Forge Meal Contract. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 234 – A communication was received from the Director of Emergency Services requesting authorization to replace an antenna at the Dairy Hill Communications Tower. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 235 – A communication was received from the Director of Emergency Services requesting authorization to install additional antennas at the Spohn Hill Communications Tower. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 236 – A communication was received from the Director of Emergency Services requesting authorization to install new antennas at the 911 Center Towers. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 237 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with receipt of the Childhood Lead Poisoning Prevention Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 238 – A communication was received from the Director of Public Health submitting 2020 Annual Report. Referred to the Committee on Human Resources.

No. 239 – A communication was received from the Personnel Officer requesting adoption of the 2022 Herkimer County Self Insured Plan Budget. Referred to the Committee on Ways & Means.

No. 240 – A communication was received from the Director of Employment & Training requesting sub-lease agreement with the NYS Education Department on behalf of the Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR). Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 241 – A communication was received from the Commissioner of DSS requesting renewal of contract with Catholic Charities for the provision of services under the TREATY Program. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 242 – A communication was received from the Director of Public Health requesting to renew contract with the State of New York for the Early Intervention Administration Program. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 243 – A communication was received from the Director of Probation requesting attendance at a fall conference. Referred to the Committee on Ways & Means.

No. 244 – A communication was received from the Executive Director of the Youth Bureau requesting to amend Resolution to increase the number of bus runs for the Old Forge Transportation Program. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 245 – A communication was received from the Budget Officer/Purchasing Agent submitting recommendation for award of bid of two Beuthling B200 2 Ton Rollers for the Highway Department. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 246 – A communication was received from the County Highway Superintendent requesting approval for large equipment Purchases. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 247 – A communication was received from the Personnel Officer requesting to amend Salary Schedule III in the Public Health Department. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 248 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and budget amendment 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. 249 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and budget amendment 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. 250 – A communication was received from the Budget Officer/Purchasing Agent requesting creation of accounts and budget amendment in connection with grant funding in DSS. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 251 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in DSS in connection with redirecting grant funding. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 252 – A communication was received from HCCC submitting the proposed Operating Budget Overview. Referred to the Committee on Education and the Committee on Ways & Means.

No. 253 – A communication was received from the Office of Temporary and Disability Assistance advising of term expiration of Commissioner of Social Services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 254 – A communication was received from the County Attorney requesting cancellation of tax liens on property in the Village of Ilion. Referred to the Committee on County Properties.

No. 255 – A communication was received from the Sewer District submitting Resolution for application for a grant program. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 256 – A communication was received from the Sewer District submitting Resolution for SEQRA. Referred to the Committee on Natural Resources.

No. 257 – A communication was received from the Senior VP for Administration & Finance of HCCC submitting Resolution adopting 2021-2022 Proposed College Operating Budget. Referred to the Committee on Education and the Committee on Ways & Means.

No. 258 – A communication was received from the Commissioner of Social Services requesting cooperative agreement to share legal research services with the County Attorney's Office. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 259 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in connection with purchase of Legislative Proceeding Books. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 260 – A communication was received from the Commissioners of Elections requesting discussion of handicap accessibility changes at Early Voting Site. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 261 – A communication was received from the County Treasurer submitting request from resident for forgiveness of property tax interest and penalties. Referred to the Committee on County Properties.

No. 262 – A communication was received from the County Highway Superintendent submitting list of resolution requests and discussion items. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 263 – A communication was received from the Herkimer County Fire Advisory Board & Herkimer County Fire Chiefs' Association requesting discussion for Emergency Services Training Facility. Referred to the Committee on Public Safety & Emergency Management.

No. 264 – A communication was received from the Commissioners of Elections requesting voting machine repair. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 265 – A communication was received from the Personnel Officer requesting amendment to hourly salary schedule and authorization for shift differentials for Public Safety Telecommunicators. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 266 – A communication was received from the Personnel Officer requesting approval of Herkimer County Sheriff's Department Bargaining Contract with UPSEU. Referred to the Committee on Ways & Means.

No. 267 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

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

The Chairman continued with the Regular Agenda.

On motion of Mr. Shaw, seconded by Mr. Gaworecki, Report and Resolution No. 179 sponsored by the Committee on Human Resources approving Annual Report of Public Health Nursing Service was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 179

REPORT AND RESOLUTION APPROVING ANNUAL REPORT OF PUBLIC HEALTH NURSING SERVICE

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Public Health Nursing Service, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2020 Annual Report of the Public Health Nursing Service be adopted and placed on file with the Herkimer County Legislature for the year 2020.

Dated: August 11, 2021.

On motion of Mr. Manno, seconded by Mr. Gaworecki, Report and Resolution No. 180 sponsored by the Committee on Education and the Committee on Ways & Means relative to the adoption of the Herkimer County Community College budget was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 180

REPORT AND RESOLUTION RELATIVE TO THE ADOPTION OF THE HERKIMER COUNTY COMMUNITY COLLEGE BUDGET

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

WHEREAS, the Herkimer County Legislature, having conducted a Public Hearing on the tentative budget of the Herkimer County Community College on August 11, 2021, and after hearing all parties concerning the same; now, therefore, be it

RESOLVED, that the tentative budget of the Herkimer County Community College, for the year 2021-2022, in the total amount of \$23,997,340, of which the contribution of the County of Herkimer is \$1,830,612, be adopted; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 181 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract for funding of Childhood Lead Poisoning Prevention Screening Services Grant and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 181

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR FUNDING OF CHILDHOOD LEAD POISONING PREVENTION SCREENING SERVICES GRANT AND AMENDING BUDGET

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

WHEREAS, by Resolution No. 228 for the year 1990, this Legislature authorized a contract with the New York State Department of Health to provide grant funding for the Childhood Lead Poisoning Prevention Program screening services and to increase public knowledge about lead poisoning and its prevention, which contract has been continued for each year thereafter; and

WHEREAS, by letter dated July 14, 2021, from Christina Cain, Director of Public Health, your Committees have been advised of a request to renew said agreement with the New York State Department of Health for the term commencing October 1, 2020 and ending September 30, 2021 with funding for this period to be in the amount of \$39,826.00; and

WHEREAS, by letter dated July 14, 2021, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2021 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for the period October 1, 2020 through September 30, 2021 in the total amount of \$39,826.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document in the amount of \$39,826.00 with the New York State Department of Health to continue the Childhood Lead Poisoning Prevention Program in the County of Herkimer for the period October 1, 2020 to September 30, 2021, unless terminated in accordance with the terms thereof; and, be it further

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

Revenue Account:	A4189L.4489B, Lead Prevention, State Aid	From:	\$0
		To:	\$39,826
Expense Account:	A4189L.10000-001, Lead Prev., Salaries	From:	\$0
		To:	\$17,386
	A4189L.41000, Lead Prev., Supplies	From:	\$0
		To:	\$3,480
	A4189L.42100, Lead Prev., Phone	From:	\$0
		To:	\$1,100
	A4189L.43000, Lead Prev., Insurance	From:	\$0
		To:	\$1,000
	A4189L.44000, Lead Prev., Contracted	From:	\$0
		To:	\$4,500
	A4189L.44000-370, Lead Prev., Copier	From:	\$0
		To:	\$600
	A4189L.46100, Lead Prev., Mileage	From:	\$0
		To:	\$300
	A4189L.46300, Lead Prev., Postage	From:	\$0
		To:	\$200
	A4189L.86000, Lead Prev., Health Ins.	From:	\$0
		To:	\$11,260

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 New York State Department of Health.

Dated: August 11, 2021.

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 182 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. III in the Public Health Department was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 182

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

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

WHEREAS, by letter dated July 14, 2021, Christina Cain, Director of Public Health, has requested to amend Salary Schedule III to create one position of Account Clerk; and

WHEREAS, by letter dated July 26, 2021, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to create one position of Account Clerk in Account A4010, at a 2021 hire rate of \$27,364; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to create one position of Account Clerk in Account A4010, at a 2021 hire rate of \$27,364; 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 Public Health.

Dated: August 11, 2021.

On motion of Mr. Stephens, seconded by Mr. Johnson, Report and Resolution No. 183 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract with the State of New York for funding for Early Intervention Administration Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 183

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE STATE OF NEW YORK FOR FUNDING FOR EARLY INTERVENTION ADMINISTRATION PROGRAM

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

WHEREAS, by letter dated July 12, 2021, from Christina Cain, Director of Public Health, this Legislature is advised that the New York State Department of Health has submitted a contract providing for the renewal of the Early Intervention Administration Program grant in the total amount of \$200,865.00; and

WHEREAS, said agreement shall be effective for the term October 1, 2021 through September 30, 2026, with each year being \$40,173; and

WHEREAS, the County of Herkimer has qualified personnel, facilities and expertise to provide the services required under the terms of the agreement; 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 Department of Health, on behalf of the County of Herkimer for an Early Intervention Administration grant in the total amount of \$200,865.00, with said grant to be for the period October 1, 2021 through September 30, 2026; 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 New York State Department of Health.

Dated: August 11, 2021.

On motion of Mr. Donley, seconded by Mr. Weakley, Report and Resolution No. 184 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means amending Resolution No. 117 of 2021 awarding bid for bus service for the Old Forge Area Transportation Program for the 2021 Summer Youth Employment Program was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 184

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 117 OF 2021 AWARDING BID FOR BUS SERVICE FOR THE OLD FORGE AREA TRANSPORTATION PROGRAM FOR THE 2021 SUMMER YOUTH EMPLOYMENT PROGRAM

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

WHEREAS, Resolution No. 117 of 2021, adopted on May 19, 2021, awarded a bid for services for the Old Forge Area Transportation Program for the 2021 Summer Youth Employment Program; and

WHEREAS, by communication dated July 1, 2021, from Gina Giacobelli, Director of the Youth Bureau, this Legislature is advised that a request has been made by Enchanted Forest Water Safari to increase the number of buses from one to two on the following dates: 8/23/21, 8/24/21, 8/25/21, 8/26/21, 8/27/21, 9/4/21, and 9/5/21 to accommodate extra staff needed at the park; and

WHEREAS, the current contract with Hale Transportation is for \$540.00 per bus per day, for a total of \$73,980.00, the amended amount would include an additional \$3,780, for a new total contract of \$77,760.00; now, therefore, be it

RESOLVED, that Resolution No. 117 of 2021 be amended to increase the number of buses from one to two on the following dates: 8/23/21, 8/24/21, 8/25/21, 8/26/21, 8/27/21, 9/4/21, and 9/5/21, for an additional price of \$3,780, with a new total contract of \$77,760.00; and, be it further

RESOLVED, that in all other respects Resolution No. 117 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, Executive Director of the Youth Bureau, Enchanted Forest Water Safari, and Hale Transportation.

Dated: August 11, 2021.

On motion of Mr. Smith, seconded by Mr. Gaworecki, Report and Resolution No. 185 sponsored by the Committee on Ways & Means amending Resolution No. 364 of 2020 authorizing attendance at conferences for municipal officers and employees during the year 2021 was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 185

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 364 OF 2020 AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2021

Sponsored by: Committee on Ways and Means

WHEREAS, on December 16, 2020 this Legislature adopted Resolution No. 364 authorizing attendance at conferences for municipal officers and employees during the year 2021; and

WHEREAS, by communication dated July 6, 2021, from Garry Murphy, Director of Probation, request is made to add attendance at the Law Enforcement Directors Association of New York State (LETDANYS), for the Probation Supervisor to attend, and further requests said Resolution No. 364 of 2020 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 364 adopted on December 16, 2020 be amended under Probation Supervisor, to add attendance at the Law Enforcement Directors Association of New York State (LETDANYS); and, be it further

RESOLVED, that in all other respects Resolution No. 364 of 2020 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, and Probation Director.

Dated: August 11, 2021.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 186 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing sub-lease agreement with the Office of Adult Career and Continuing Education Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 186

REPORT AND RESOLUTION AUTHORIZING SUB-LEASE AGREEMENT WITH THE OFFICE OF ADULT CAREER AND CONTINUING EDUCATION SERVICES

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

WHEREAS, by letter dated July 21, 2021 from Karin Piseck, Director of Employment and Training, your Committee has been advised that it is necessary to enter into a sub-lease agreement with the Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) for use of office space at the Working Solutions One Stop Center located at 320 North Prospect Street, Herkimer, New York; and

WHEREAS, said agreement would be for a term of three months commencing July 1, 2021 through September 30, 2021 and will provide office space in the Working Solutions One Stop Center for use by the Office of Adult Career and Continuing Education Services for the purpose of assisting and serving its customers, with payment to the County to be in the amount of \$583.33 per month; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a sub-lease Agreement on behalf of the County of Herkimer with the Office of Adult Career and Continuing Education Services, containing the above terms and conditions, with further terms and conditions subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Employment and Training, and the Office of Adult Career and Continuing Education Services.

Dated: August 11, 2021.

On motion of Mr. Hollum, seconded by Mr. Weakley, Report and Resolution No. 187 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means accepting grant, authorizing Chairman to sign contract, establishing 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. 187

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

Sponsored by: Committee on Administration/Veterans' Affairs

Committee on Ways and Means

WHEREAS, by letter dated July 1, 2021, from Kim S. Tranter and Robert A. Drumm, Commissioners of Elections, 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 an Early Voting Expansion Grant in Board of Elections in the amount of \$18,433.89, the funding will run from April 7, 2021 through January 28, 2022; and

WHEREAS, by letter dated July 26, 2021, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested accounts be created and the 2021 budget be amended as follows:

Revenue Account:	A1450M.3089M, EV Expand, State Aid	\$18,433.89
Expense Accounts:	A1450M.41000, EV Expand, Supplies	\$3,000
	A1450M.44000, EV Expand, Contracted Services	\$10,433.89
	A1450M.46300, EV Expand, Postage and Freight.	\$5,000

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the Early Voting Expansion Grant in the amount of \$18,433.89, 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: August 11, 2021.

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 188 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means accepting grant, authorizing Chairman to sign contract, establishing 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. 188

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

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

WHEREAS, by letter dated July 1, 2021, from Kim S. Tranter and Robert A. Drumm, Commissioners of Elections, 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 Technology Innovation and Election Resource Grant Program in Board of Elections in the amount of \$64,184.92, the funding will run from April 7, 2021 through January 27, 2023; and

WHEREAS, by letter dated July 26, 2021, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested accounts be created and the 2021 budget be amended as follows:

Revenue Account:	A1450L.3089L, TIER, State Aid	\$64,184.92
Expense Accounts:	A1450L.41000, TIER, Supplies	\$10,000
	A1450L.44000, TIER, Contracted Services	\$49,184.92
	A1450L.46300, TIER, Postage and Freight.	\$5,000

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the Technology Innovation and Election Resource Grant in the amount of \$64,184.92, 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: August 11, 2021.

On motion of Mr. Ackerman, seconded by Mr. Shaw, Report and Resolution No. 189 sponsored by the Committee on Human Resources and the Committee on Ways & Means awarding contract for Meals on Wheels for the Old Forge area was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 189

**REPORT AND RESOLUTION AWARDING CONTRACT FOR MEALS ON WHEELS FOR
THE OLD FORGE AREA**

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

WHEREAS, this Legislature is informed by communication dated July 20, 2021 from Kathy Fox, Director of the Office for the Aging, that the Herkimer County Office for the Aging, through federal grants received and local sharing, has funds for the Meals on Wheels Programs and reports that the lowest bid price, including the cost of transportation and delivery, has been calculated by and provided by the Office for the Aging; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes a catering contract for the Meals on Wheels for the period of July 1, 2021 to December 31, 2022, the contract will have an option for two one-year contract renewals with a cost-of-living adjustment each year and the contract would contain a 60-day termination of contract provision:

Area:	Number of meals:	Cost:
<i>Old Forge Area & Other Rural Areas:</i> Pur Foods LLC dba Mom's Meals	Up to 40 meals/day	\$7.15 meal, up to \$70,356.00 for the 12 month period

and, be it further

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

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

Dated: August 11, 2021.

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 190 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the installation of new antennas at 911 Center towers was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 190

REPORT AND RESOLUTION APPROVING THE INSTALLATION OF NEW ANTENNAS AT 911 CENTER TOWERS

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

WHEREAS, by letter dated July 20, 2021, John Raymond, Director of Emergency Services has requested to expend funds from the Statewide Interoperable Communications Grant (SICG-19) to install new antennas at the 911 Center Tower for interoperability with Oneida County, future expansion of the fire radio system, and removal of decommissioned antennas from the tower; and

WHEREAS, this letter further advises that a quote was received from JPJ Electronics Inc. for this project at a cost of \$19,742.66; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the purchase and installation of additional new antennas at the 911 Center Tower from JPJ Electronics Inc. at a cost of \$19,742.66; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 191 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the installation of additional antennas at the Spohn Hill Communications Tower was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 191

REPORT AND RESOLUTION APPROVING THE INSTALLATION OF ADDITIONAL ANTENNAS AT THE SPOHN HILL COMMUNICATIONS TOWER

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

WHEREAS, by letter dated July 20, 2021, John Raymond, Director of Emergency Services has requested to expend funds from the Statewide Interoperable Communications Grant (SICG-19) to install additional antennas at the Spohn Hill Communications Tower in the Town of Columbia; and

WHEREAS, this letter further advises that a quote was received from JPJ Electronics Inc. for this project at a cost of \$9,734.16; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the purchase and installation of additional antennas at the Spohn Hill Communications Tower from JPJ Electronics Inc. at a cost of \$9,734.16; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Smith, seconded by Mr. Donley, Report and Resolution No. 192 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving the replacement of an antenna at the Dairy Hill Communications Tower was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 192

REPORT AND RESOLUTION APPROVING THE REPLACEMENT OF AN ANTENNA AT THE DAIRY HILL COMMUNICATIONS TOWER

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

WHEREAS, by letter dated July 20, 2021, John Raymond, Director of Emergency Services has requested to expend funds from the Statewide Interoperable Communications Grant (SICG-19) to replace an antenna for ARES-RACES at the Dairy Hill Communications Tower in the Town of Norway; and

WHEREAS, this letter further advises that a quote was received from JPJ Electronics Inc. for this project at a cost of \$4,914.54; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby approves the purchase and installation of an antenna for ARES-RACES at the Dairy Hill Communications Tower from JPJ Electronics Inc. at a cost of \$4,914.54; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 193 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Resolution No. 307 of 2020 and authorizing shift differentials for Public Safety Telecommunicators was handed up; discussion was held; voted on and adopted by roll call vote:

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

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 193

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 307 OF 2020 AND AUTHORIZING SHIFT DIFFERENTIALS FOR PUBLIC SAFETY TELECOMMUNICATORS

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

WHEREAS, Resolution No. 307 of 2020 adopted the hourly salary schedule; and

WHEREAS, by letter dated July 30, 2021, from Steve Billings, Personnel Officer, this Legislature is advised of a request to amend Resolution No. 307 by changing the hourly rate of employees under the title of Public Safety Telecommunicators from \$14.28 per hour to \$16.01 per hour; and

WHEREAS, letter further requests that authorization is given for the part-time Public Safety Telecommunicators receive shift differentials of \$0.51 per hour for hours worked between 5:00 p.m. and midnight, \$0.76 per hour for hours worked between midnight and 7:00a.m., additionally, any part-time Public Safety Telecommunicator that works on a recognized holiday, as defined by the CSEA Collective Bargaining Agreement, will receive \$24.02 per hour (16.01 at time and one half) for hours worked; and

WHEREAS, your Committees have considered said request and recommend said change; now, therefore, be it

RESOLVED, that Resolution No. 307 of 2020 be amended to change the hourly rate of employees under the title of Public Safety Telecommunicators from \$14.28 per hour to \$16.01 per hour; and, be it further

RESOLVED, that authorization is given for the part-time Public Safety Telecommunicators receive shift differentials of \$0.51 per hour for hours worked between 5:00

p.m. and midnight, \$0.76 per hour for hours worked between midnight and 7:00a.m., additionally, any part-time Public Safety Telecommunicator that works on a recognized holiday, as defined by the CSEA Collective Bargaining Agreement, will receive \$24.02 per hour (16.01 at time and one half) for hours worked, effective August 14, 2021; 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 Emergency Services.

Dated: August 11, 2021.

On motion of Mr. Stephens, seconded by Mr. Johnson, Report and Resolution No. 194 sponsored by the Committee on Human Resources reappointing Commissioner of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

Mr. Seymour thanked the Legislature for the reappointment.



HERKIMER COUNTY LEGISLATURE

No. 194

REPORT AND RESOLUTION REAPPOINTING COMMISSIONER OF SOCIAL SERVICES

Sponsored by: Committee on Human Resources

WHEREAS, by letter dated June 28, 2021 from the State Office of Temporary and Disability Assistance, this Legislature is advised that the term of the Commissioner of Social Services of the County of Herkimer shall expire on September 30, 2021; and

WHEREAS, the Commissioner of Social Services of the County of Herkimer is appointed pursuant to the provisions of Section 116 of the Social Services Law of the State of New York; now, therefore, be it

RESOLVED, that Timothy J. Seymour of Ilion, New York, is hereby reappointed Commissioner of Social Services for the County of Herkimer pursuant to Section 116 of the Social Services Law of the State of New York, for a term of five years commencing October 1, 2021 through September 30, 2026, at the annual salary as established in the 2021 Salary Schedule I adopted by this Legislature; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Timothy J. Seymour, and the New York State Office of Temporary and Disability Assistance.

Dated: August 11, 2021.

On motion of Mr. Manno, seconded by Mr. Shaw, Report and Resolution No. 195 sponsored by the Committee on Human Resources and the Committee on Ways & Means concerning cooperative agreement to share legal research services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 195

REPORT AND RESOLUTION CONCERNING COOPERATIVE AGREEMENT TO SHARE LEGAL RESEARCH SERVICES

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

WHEREAS, by letter from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request for a cooperative agreement between the Herkimer County Department of Social Services and the Herkimer County Attorney's Office to share online legal research services; and

WHEREAS, the Office of the Herkimer County Attorney has subscribed to one account through Thompson Reuters Westlaw for online research services to provide access to four attorneys; and

WHEREAS, two attorneys from Herkimer County Department of Social Services and two attorneys from office of the Herkimer County Attorney make use of the online research services; and

WHEREAS, Westlaw submits one invoice for all four attorneys to the Office of the Herkimer County Attorney; and

WHEREAS, the above departments desire to share in the cost of maintaining the Westlaw online research account; now, therefore, be it

RESOLVED that this Legislature approves of the Cooperative Agreement wherein the departments will share in the cost of Westlaw services and further that the Department of Social Services will reimburse the Office of the Herkimer County Attorney for fifty percent (50%) of the Westlaw subscription on a biannual basis; and, be it further

RESOLVED that the Chairman of the Herkimer County Legislature is authorized to sign the cooperative agreement; and, be it further

RESOLVED, that the cooperative agreement may be renewed annually on the same fifty/fifty cost basis; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Smith, seconded by Mr. Donley, Report and Resolution No. 196 sponsored by the Committee on Ways & Means redirecting funding and transferring funds in Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 196

REPORT AND RESOLUTION REDIRECTING FUNDING AND TRANSFERRING FUNDS IN DEPARTMENT OF SOCIAL SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 48 of 2021 authorized the Department of Social Services to accept a \$10,000 grant for the purpose of purchasing laptop computers and related equipment; and

WHEREAS, by letter dated July 14, 2021, from Timothy Seymour, Commissioner of Social Services, he has advised this Legislature that the matter was discussed with the grantor and it was decided that it would be beneficial to repurpose the use of the grant funding to now be used for foster parent training, foster home recruitment, incentives and other supports of kinship and foster homes; and

WHEREAS, by letter dated July 26, 2021 from Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested a transfer of funds as follows:

\$5,000 From: A6070B.22000, RH Foundation, Computer Equipment
 To: A6070B.41000, RH Foundation, Supplies

\$5,000 From: A6070B.22000, RH Foundation, Computer Equipment
 To: A6070B.44000, RH Foundation, Contracted Services

now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the above sum from and to the accounts listed in the 2021 Budget and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 197 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant, establishing accounts, and amending budget in the Department of Social Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 197

REPORT AND RESOLUTION ACCEPTING GRANT, ESTABLISHING ACCOUNTS, AND AMENDING BUDGET IN THE DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated July 14, 2021, from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to accept grant funding, create accounts, and amend the budget in connection with an Adult Protective Services (APS) Grant in the amount of \$21,938.00, the funding will run from April 1, 2021 through May 31, 2022; and

WHEREAS, by letter dated July 26, 2021, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested accounts be created and the 2021 budget be amended as follows:

REVENUE:

A6010B.4689B, ACL APS, Federal Aid	\$21,938
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EXPENSE:

A6010B.41000, ACL APS, Supplies	\$5,000
A6010B.44000, ACL APS, Contracted Services	\$16,938

now, therefore, be it

RESOLVED, that this Legislature hereby accepts receipt of the Adult Protective Services (APS) Grant in the amount of \$21,938.00, and amends the budget as listed; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Manno, seconded by Mr. Schrader, Report and Resolution No. 198 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing extension of contract with Catholic Charities of Herkimer County and the Department of Social Services for a Youth Violence Prevention Program for schools in Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 198

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH CATHOLIC CHARITIES OF HERKIMER COUNTY AND THE DEPARTMENT OF SOCIAL SERVICES FOR A YOUTH VIOLENCE PREVENTION PROGRAM FOR SCHOOLS IN HERKIMER COUNTY

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

WHEREAS, by Resolution No. 147 for the year 2010, this Legislature authorized a contract between Catholic Charities of Herkimer County and the Herkimer County Department of Social Services for the provision of the TREATY Program (Teaching Reconciliation in Education to Administrators, Teachers and Youth) in an effort to help reduce the threat of bullying and youth violence in local schools; and

WHEREAS, said contract has been renewed each year, the most recent being by Resolution No. 200 of 2020; and

WHEREAS, by letter dated July 22, 2021 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into an extension of said contract with Catholic Charities of Herkimer County, to provide said TREATY Program for the 2021-2022 school year, at a total contract cost of \$28,400; now, therefore, be it

RESOLVED, that this Legislature hereby approves an extension of a contract with Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, and the Herkimer County Department of Social Services, for the provision of the TREATY Program for the 2021-2022 school year to help control the threat of youth violence in schools, at a cost of \$28,400; and, be it further

RESOLVED, that under this contract, sufficient funds have been budgeted and all schools in Herkimer County will be invited to participate in said TREATY Program; and, be it further

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

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

Dated: August 11, 2021.

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 199 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution HCSD-2021-06 concerning consolidated funding application for Wastewater Infrastructure Planning Grant was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 199

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2021-06 CONCERNING CONSOLIDATED FUNDING APPLICATION FOR WASTEWATER INFRASTRUCTURE PLANNING GRANT

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

WHEREAS, this Legislature is advised that by action on July 21, 2021, the Herkimer County Sewer District Board adopted Resolution No. HCSD-2021-06 authorizing the submission of a 2021 Consolidated Funding Application (CFA), for the Wastewater Infrastructure Engineering Planning Grant (EPG) program to conduct a study to evaluate the amount of sludge being produced and the applicability of the addition of a digester at the site; and

WHEREAS, this planning activity falls under grant award Category 1, eligible for a maximum \$30,000 grant, with a required local match equal to 20% of the requested grant amount, consisting of cash and/or in-kind services; and

WHEREAS, the \$30,000 grant will require a Local Match of \$6,000; and

WHEREAS, said Sewer District Board Resolution HCSD-2021-06 adopted on July 21, 2021 authorized the Sewer District Board Chairman to execute necessary documents required for the 2021 Consolidated Funding Application, and further authorized and obligated the Local Match of \$6,000, to be appropriated from District General Operating Funds, if the grant funding is awarded; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves Sewer District Board Resolution HCDS-2021-06 authorizing the submission of the 2021 Consolidated Funding Application for an Engineering Planning Grant to conduct a study to evaluate the addition of a digester at the site; and be it further

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

Dated: August 11, 2021.

On motion of Mr. Smith, seconded by Mr. Keeler, Report and Resolution No. 200 sponsored by the Committee on Natural Resources approving Sewer District Resolution concerning State Environmental Quality Review of a consolidated funding application for Wastewater Infrastructure Planning Grant was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 200

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION CONCERNING STATE ENVIRONMENTAL QUALITY REVIEW OF A CONSOLIDATED FUNDING APPLICATION FOR WASTEWATER INFRASTRUCTURE PLANNING GRANT

Sponsored by: Committee on Natural Resources

WHEREAS, by letter dated July 21, 2021, from Robin Nalaskowski, Secretary to the Herkimer County Sewer Board, she has advised that the Sewer District Board has adopted a resolution on July 21, 2021 concerning State Environmental Quality Review Act (hereinafter "SEQRA") to meet the requirements of a Consolidated Funding Application to conduct a study to evaluate a digester for Sewer District sludge for a Wastewater Infrastructure Planning Grant; and

WHEREAS, the funding received will allow the Herkimer County Sewer District to evaluate the amount of sludge currently being produced, identify potential solutions, and prepare an engineering planning report; now, therefore, be it

RESOLVED, that the Herkimer County Legislature approves the Sewer District Board Resolution Number HCSD-2021-05 adopted on July 21, 2021, to meet the requirements for SEQRA for the above Consolidated Funding Application and study; and be it further

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

Dated: August 11, 2021.

On motion of Mr. Russell, seconded by Mr. Hollum, Report and Resolution No. 201 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing purchase and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 201

REPORT AND RESOLUTION AUTHORIZING PURCHASE AND TRANSFERRING FUNDS

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

WHEREAS, by letter dated July 12, 2021, Brittney R. Viscomi, Clerk of the Legislature, has requested that this Legislature authorize the purchase of five printed copies of each year (2009-2020) of the Legislative Proceedings through Two Brothers Printing in Moravia; and

WHEREAS, by letter dated July 26, 2021, Sheri A. Ferdula, Budget Officer/Purchasing Agent has requested a transfer of funds to accommodate the purchase as follows:

\$10,000 From: A6010.43000, Social Services, Insurance
 To: A1040.41000, Clerk of the Legislature, Supplies

now, therefore, be it

RESOLVED, that the above described purchase and transfer of funds is approved; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Stephens, seconded by Mr. Johnson, Report and Resolution No. 202 sponsored by the Committee on County Properties concerning premises in the Village of Ilion was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 202

REPORT AND RESOLUTION CONCERNING PREMISES IN THE VILLAGE OF ILION

Sponsored by: Committee on County Properties

WHEREAS, the premises formerly known as “Duofold” having Tax Map Parcel Numbers 120.29-1-63, 120.29-1-26 and 120.29-2-74.1 are the subject of the County’s 2019 In Rem Tax Foreclosure Proceedings; and

WHEREAS, the Village of Ilion has adopted a resolution authorizing the Mayor of the Village of Ilion to enter into an agreement with the County of Herkimer wherein the Village will reimburse the County the amount of \$7,549.76, with the remainder of outstanding taxes to be forgiven by the County; and

WHEREAS, by Resolution No. 82 of 2021, the Legislature of the County of Herkimer authorized the Chairman to enter into an agreement with the Village of Ilion concerning real property taxes; now, therefore, be it

RESOLVED, that upon the execution of the agreement by the Mayor of the Village of Ilion and the Chairman of the Legislature of Herkimer County, that the County will then cancel tax liens on the above premises; and, be it further

RESOLVED, that this Legislature determines that there is no practicable method to enforce the collection of tax liens on the premises and that a supplementary proceeding to enforce collection will not be effective; and, be it further

RESOLVED, that upon the execution of the above agreement, the delinquent taxes on the premises shall be canceled; and, be it further

RESOLVED, that the Enforcing Officer is hereby authorized and directed to issue and file a Certificate of Cancellation of the said taxes on the above parcels; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 203 sponsored by the Committee on Ways & Means approving 2022 Annual Estimate and Apportionment for the Herkimer County Workers' Compensation Self-Insured Plan was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 203

REPORT AND RESOLUTION APPROVING 2022 ANNUAL ESTIMATE AND APPORTIONMENT FOR THE HERKIMER COUNTY WORKERS' COMPENSATION SELF-INSURED PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee has received from Steven R. Billings, Personnel Officer, the 2022 Annual Estimate and Apportionment for the Herkimer County Workers' Compensation Self-Insured Plan for the purposes of tail claims run-off; and

WHEREAS, your Committee on Ways and Means has considered said Estimate and Apportionment and has approved the same; now, therefore, be it

RESOLVED, that this Legislature hereby approves the Annual Estimate and Apportionment of the Herkimer County Workers' Compensation Self-Insured Plan for the purposes of tail claims run-off for the year 2022; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 204 sponsored by the Committee on Highways amending Resolution No. 186 of 2020 approving projects under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 204

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 186 OF 2020 APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 186 of 2020, this Legislature approved the use of County Road Fund monies for Project No. 408, Black Creek Road, CR147, in the amount of \$1,800,000; and

WHEREAS, by letter dated July 23, 2021, Mark A. Nagele, P.E., Herkimer County Highway Superintendent, has advised that additional funds are required for this project and has requested an increase in the appropriated amount to \$1,900,000; now, therefore, be it

RESOLVED, that Resolution No. 186 of 2020 is hereby amended to increase the estimated cost for the project to \$1,900,000, and that County Road Fund monies in that amount are hereby approved for that project; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 205 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing advance of funds to the County Road Fund was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 205

REPORT AND RESOLUTION AUTHORIZING ADVANCE OF FUNDS TO THE COUNTY ROAD FUND

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

WHEREAS, by letter dated July 21, 2021, Kimberlee Enea, Herkimer County Treasurer, has advised that New York State has changed the procedure by which they process reimbursement for the CHIPS, Pave-NY and Extreme Winter Recovery (EWR) projects back to the County Highway Department, and further requests advance of funds as needed from the General Fund to the County Road Fund, with General Fund reimbursement being made as funds are received from New York State; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized to advance up to \$3,000,000 as needed, from A200-ADK, General Fund to D200, County Road Fund; and, be it further

RESOLVED, that any funds advanced shall be repaid to the General Fund before accounts are closed for the fiscal year; and, be it further

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

Dated: August 11, 2021.

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 206 sponsored by the Committee on Highways and the Committee on Ways & Means approving purchases and bid for large equipment in the Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 206

REPORT AND RESOLUTION APPROVING PURCHASES AND BID FOR LARGE EQUIPMENT IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated July 26, 2021, Sheri Ferdula, Budget Officer, has advised that sealed bids were received, opened and read in accordance with law for the purchase of two (2) Beuthling B200 2 Ton Roller Compactors for the Herkimer County Highways Department; and

WHEREAS, it is the recommendation of the Highway Superintendent that the bid be awarded to the only bidder, Baschmann Services, Inc., P.O. Box 320, 1101 Maple Road, Elma, NY 14059; and

WHEREAS, by letter dated July 23, 2021, Mark Nagele, County Highway Superintendent, has requested approval for purchase of large equipment for the Highway Department, with CHIPS funds being used to pay for the below purchases, including the above described bid:

EQUIPMENT	ESTIMATED COST
A. One (1) new or used from rental fleet Elgin Crosswind Sweeper through Sourcewell. Sourcewell # 122017-FSC-1 Joe Johnson Equipment, 62 LaGrange Ave, Rochester, NY 14613	\$252,541.00
B. One (1) 2017 or newer Cat M318 Excavator through NYS OGS or Sourcewell contract. NYS OGS PC69406 Award#22792 / Sourcewell #032119-CAT Southworth-Milton Inc., 294 Ainsley Drive, Syracuse, NY 13210	\$186,850.00
C. Three (3) new 2021 John Deere Tractors with side mower, rear mower and boom with brush hog. NYS OGS #PC69389 / Sourcewell#052417-DMM. Stephenson Equipment, 7201 Paxton St, Harrisburg, PA 17111	\$460,500.00
D. One (1) new service truck 2022 Ram 4500. Onondaga Cty #ONGOV-106-19 Piggyback. Robert Green Truck Div., PO Box 8002, Rock Hill, NY 12775	\$83,313.90
E. One (1) new 2022 F-350XL 1-ton crew cab pickup truck with 8' box, 4-wheel drive for tree crew. DCMO BOCES Bid #2020-133 Piggyback Van Bortel, 71 Marsh Rd, East Rochester, NY 14445	\$36,462.80
F. Three (3) new F-350 XL 1-ton crew cab pickup trucks with 8' box and 2-wheel drive. DCMO BOCES Bid #2020-133 Piggyback Van Bortel, 71 Marsh Rd, East Rochester, NY 14445	\$98,733.00
G. One (1) new 2023 Freightliner 114SD 6x4 Cab ten-wheel dump truck through Town of Hornellsville Statewide NYS Municipal Contract Piggyback. Mohawk Valley Freightliner, 703 Oriskany Blvd., Yorkville, NY 13495	\$151,121.00
H. One (1) new chipper. Sourcewell #062117-BAN Kleis Equipment 1837 State Route 49, Constantia, NY 13044	\$63,031.20
I. Two (2) new 2022 Chevy Blazer NYS OGS PC69236 / Award #23166 East Syracuse Chevrolet, 1 Chevy Dr, East Syracuse, NY 13057	\$64,031.80
J. Two (2) 2021 or newer Beuthling B200 2 ton static compactors. \$25,764 per compactor. Publicly Bid on July 23 @ 10am – Low Bid – Baschmann Services Inc. PO Box 320, Elma, NY 14059	\$51,348.00
Total	\$1,447,932.70

now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the purchase of the two (2) Beuthling B200 2 Ton Roller Compactors (Item J) and approves the purchase of items listed above from the companies listed (Items A-I); and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Highway Superintendent, Baschmann Services, and all other companies listed.

Dated: August 11, 2021.

On motion of Mr. Russell, seconded by Mr. Stephens, Report and Resolution No. 207 sponsored by the Committee on Ways & Means ratifying agreement between the County of Herkimer and the United Public Service Employees Union was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 207

REPORT AND RESOLUTION RATIFYING AGREEMENT BETWEEN THE COUNTY OF HERKIMER AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means has negotiated the terms and conditions of employment of those employees of the Herkimer County Sheriff's Department represented by the United Public Service Employees Union (UPSEU) and your Committee has tentatively agreed to such terms and conditions of employment for the period January 1, 2021 to December 31, 2023, subject to ratification of the Herkimer County Legislature; and

WHEREAS, this Legislature has been informed by letter dated August 9, 2021 from the County Personnel Office, that such tentative agreement has been ratified by the UPSEU; and

WHEREAS, the terms of said agreement have been fully explained to the Herkimer County Legislature; and

WHEREAS, the Herkimer County Legislature is satisfied that the ratification of this agreement is in the best interests of both the County of Herkimer and its employees; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby ratifies and approves the tentative agreement between the Committee on Ways and Means and the United Public Service Employees Union;
2. That the Chairman of the Herkimer County Legislature be, and he hereby is, authorized to execute said agreement on behalf of the County of Herkimer;

3. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Sheriff, and the United Public Services Employees Union.

Dated: August 11, 2021.

On motion of Mr. Stephens, seconded by Mr. Russell, Resolution No. 208 sponsored by the Committee on Ways & Means approving standard work day and retirement reporting for elected and appointed officials was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



HERKIMER COUNTY LEGISLATURE

No. 208

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

Sponsored by: Committee on Ways and Means

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

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy-mm/dd/yy)	Record of Activities Result	Not Submitted: (Check only if official did not submit their Record of Activities)
Elected Officials								
District Attorney	6	Jeffrey S. Carpenter	████	████		01/01/21-12/31/24	25.77	
County Treasurer	6	Kimberlee A. Enea	████	████		01/01/21-12/31/24	20.41	

Coroner	6	Vincent J. Enea	█	█		01/01/21-12/31/24	7.03	
Appointed Officials								
Assistant Dist. Attorney	6	Robert Calli	█	█		01/01/21-12/31/24	23.89	
Assistant Dist. Attorney	6	Clifford Eisenhut	█	█		01/01/21-12/31/24	5.68	
Assistant Dist. Attorney	6	Michael Johnson	█	█		01/01/21-12/31/24	25.63	

and, be it further

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

Dated: August 11, 2021.

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

At 7:21 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, September 15, 2021 at 7:00 p.m.

Jennifer L. Williams, Deputy Clerk