

**MINUTES**  
**Herkimer County Legislature**  
**Fourth Quarter – Second Day**  
**Wednesday, October 27, 2021**  
**7:00 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent J. Bono at 7:01 p.m.

Chairman Bono called on John Raymond, Director of Emergency Services, 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, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Donley, Campione, Russell, Shaw, Weakley (16).

Absent: Schrader (1).

Pursuant to Rule 11, Chairman Bono opened the floor for public comment. (1) Christopher Connolly, Little Falls – Herkimer County Historical Society.

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 October 6, 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. 332 – A communication was received from Soil and Water Conservation District submitting notice of meeting. Filed.

No. 333 – A communication was received from the County Attorney submitting Notice of Intent to file a Claim. Filed.

No. 334 – A communication was received from Greg Malta Jr. submitting Disclosure of possible conflict of interest. Filed.

No. 335 – A communication was received from the Highway Superintendent submitting discussion on quarry in Town of Russia. Referred to the Committee on Highways.

No. 336 – A communication was received from the Commissioners of Elections requesting purchase and training in connection with Cyber Security Remediation Grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 337 – A communication was received from the Personnel Officer requesting contract with Aquarius Capital. Referred to the Committee on Ways & Means.

No. 338 – A communication was received from the Executive Director of the Herkimer County IDA requesting second (performance) Public Hearing for HPK Industries, Inc. Referred to the Committee on County Planning & Development.

No. 339 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with grant funding in STOP-DWI. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 340 – A communication was received from the Chairman of the Legislature making appointments and reappointments to the Office for Aging Advisory Board. Referred to the Committee on Human Resources.

No. 341 – A communication was received from the County Treasurer submitting report of cancelled taxes. Referred to the Committee on Ways & Means.

No. 342 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer in Public Health. Referred to the Committee on Ways & Means.

No. 343 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds and creation of account in Board of Elections. Referred to the Committee on Ways & Means.

No. 344 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in the Highway Department for increased CHIPS funding. Referred to the Committee on Ways & Means.

No. 345 – A communication was received from the Budget Officer/Purchasing Agent requesting purchase of vehicles and transfer of funds. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 346 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of a project in connection with grant funding in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 347 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment and creation of new project in connection with grant funding in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 348 – A communication was received from the Budget Officer/Purchasing Agent requesting contract for architectural services to assist in the bid for the highway garage roof. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 349 – A communication was received from the Budget Officer/Purchasing Agent requesting amendment to Resolution No. 114 of 2021 for reduction in contract amount in connection with the repair project at the Historic 1834 Jail. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 350 – A communication was received from the County Attorney requesting cancellation of outstanding tax liens on 357/359 King Street. Referred to the Committee on County Properties.

No. 351 – A communication was received from the Mayor of the Village of Herkimer requesting cancellation of outstanding tax liens on 357/359 King Street. Referred to the Committee on County Properties.

No. 352 – 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. Legislator Hollum, Chairman of the Committee on Administration/Veterans' Affairs Committee gave an update that early voting is currently going on until October 31st and Election Day is Tuesday, November 2<sup>nd</sup>.

On motion of Mr. Smith, seconded by Mr. Stephens, Resolution No. 250 – Resolution No. 254 were handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Schrader (1).

**Consent Agenda:**

- 250 HUMAN RES.: Confirming appointments and reappointments to the OFA Advisory Council
- 251 WAYS & MEANS: Setting date for Public Hearing for Local Law establishing salaries of some elected officials and certain County officers appointed for a fixed term during their term of office
- 252 CO. PLNG & DEV.: Setting a Public Hearing in connection with CDBG funding for the HPK Industries, Inc. project
- 253 NAT. RES., WAYS & MEANS: Fixing time and place for the Public Hearing on the Assessment Roll of the part County Sewer District
- 254 ADMIN./VETS' AFFAIRS, NAT. RESOURCES: Setting Public Hearing on Introductory Local Law C for 2021



## HERKIMER COUNTY LEGISLATURE

No. 250

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

**Sponsored by: Committee on Human Resources**

WHEREAS, the Chairman of the Herkimer County Legislature, by letter dated October 12, 2021, has made reappointments to the Office for the Aging Advisory Council; now, therefore, be it

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

**New appointment for term of 10/2021-10/2024**

Dave Warner, Little Falls, NY 13365

Jackie Patterson, Herkimer, NY 13350

Bette Collier, Cold Brook, NY 13324

**Reappointment for term of 10/2021 – 10/2024**

Ava Jaunzems, Clayville, NY 13322

**Reappointment for term of 10/2021 – 4/2022**

Kathy VanValkenburg, Herkimer, NY 13350

and, be it further

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

Dated: October 27, 2021.



## HERKIMER COUNTY LEGISLATURE

No. 251

### **REPORT AND RESOLUTION SETTING DATE FOR PUBLIC HEARING FOR LOCAL LAW ESTABLISHING ANNUAL SALARIES OF SOME ELECTED OFFICIALS AND**

## **CERTAIN COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE**

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

We, the Committee on Ways and Means of the Herkimer County Legislature, are causing to be prepared and will present Introductory Local Law B for the year 2021 to establish annual salaries of some elected officials and certain county officers appointed for a fixed term during their term of office, and setting the date for the statutory public hearing thereon, and offer the following Resolution:

### **RESOLVED:**

1. That a proposed local law establishing salaries of some elected officials and certain county officers will be prepared by this Committee, and that a public hearing will be held on the proposed local law at a meeting of the Herkimer County Legislature, on the 17<sup>th</sup> day of November, 2021, at 6:00 p.m. in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York;
2. That this County Legislature designates the Committee on Ways and Means as the Committee to hold the public hearing on the adoption of said act;
3. That at least five days prior to such public hearing the Clerk of this Legislature shall post a notice of such hearing upon the bulletin board in the Courthouse and cause to be published said notice at least once in the *Times Telegram*;
4. That the Clerk of this Legislature shall place a copy of said act on the desks of the members of this County Legislature at least seven calendar days, exclusive of Sunday, prior to its final adoption;
5. That if said local law be finally adopted, the Clerk of this Legislature shall file one certified copy thereof in the Office of the County Clerk, one in the Office of the Secretary of State and publish said local law as required by law.

Dated: October 27, 2021.



## **HERKIMER COUNTY LEGISLATURE**

No. 252

### **RESOLUTION SETTING A PUBLIC HEARING IN CONNECTION WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE HPK INDUSTRIES, INC. PROJECT**

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

WHEREAS, it is necessary that a second (performance) public hearing be held to hear public comment to report project accomplishments relating to Economic Development Assistance from the Office of Community Renewal (OCR) for the \$450,000.00 award for the HPK Industries, Inc. project; now, therefore, be it

RESOLVED, that a Public Hearing be held by the Committee on County Planning and Development on the 17<sup>th</sup> day of November, 2021 at 6:05 p.m., in the Legislature Chambers, 109 Mary Street, Herkimer, NY, for the purpose of hearing public comment upon the aforesaid application; and, be it further

RESOLVED, that a certified copy of this Resolution be forwarded to the Executive Director of the Herkimer County Industrial Development Agency.

Dated: October 27, 2021.



## HERKIMER COUNTY LEGISLATURE

No. 253

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

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

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

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

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

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

RESOLVED, that the Herkimer County Legislature shall hold such public hearing at the Legislative Chambers of the Herkimer County Office Building in the Village of Herkimer, County of Herkimer, New York, on the 17<sup>th</sup> day of November, 2021 at 6:10 p.m., pursuant to the provisions of Section 271 of the County Law.

Dated: October 27, 2021.



## HERKIMER COUNTY LEGISLATURE

No. 254

### RESOLUTION SETTING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW C FOR 2021

**Sponsored by: Committee on Administration/Veterans' Affairs  
Committee on Natural Resources**

We, the Committee on Administration/Veterans' Affairs, and the Committee on Natural Resources are causing to be prepared and will present Introductory Local Law C for 2021 entitled "A LOCAL LAW OPTING OUT OF HOLIDAY DEER HUNT", and offer the following Resolution:

RESOLVED, that a Public Hearing will be held before the Herkimer County Legislature on the adoption of said proposed local law, to be conducted by the Committee on Administration/Veterans' Affairs and the Committee on Natural Resources on the 17<sup>th</sup> day of November, 2021 at 6:15 p.m. in the Legislative Chambers of the County Office Building in the Village of Herkimer, New York; and, be it further

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

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

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

Dated: October 27, 2021.

The Chairman continued with the Regular Agenda.

On motion of Mr. Johnson, seconded by Mr. Donley, Report and Resolution No. 255 sponsored by the Committee on County Properties and the Committee on Ways & Means amending Resolution No. 114 of 2021 approving awarding of bids for historic 1834 jail was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Schrader (1).



## HERKIMER COUNTY LEGISLATURE

No. 255

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 114 OF 2021 APPROVING AWARDING OF BIDS FOR HISTORIC 1834 JAIL**

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

WHEREAS, Resolution No. 114 of 2021 approved a contract with Ganem Construction, PO Box 1349, Clifton Park, NY 12065, in the amount of \$358,000 for the repair project on the Historic Herkimer County Jail; and

WHEREAS, by letter dated October 6, 2021, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that a change order has been received by the County for a reduction in the amount of \$51,300; now, therefore, be it

RESOLVED, that Resolution No. 114 of 2021 be amended to reduce the contract amount by \$51,300, for a new contract amount of \$306,700; and, be it further

RESOLVED, that in all other respects, Resolution No. 114 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, Friends of Historic Herkimer County, CT Male, and Ganem Construction.

Dated: October 27, 2021.

On motion of Mr. Campione, seconded by Mr. Smith, Report and Resolution No. 256 sponsored by the Committee on Highways and the Committee on Ways & Means approving contract for architectural services, creating project, and appropriating funds was handed up; voted on and adopted by roll call vote:

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

Against: None.

Absent: Schrader (1).





## HERKIMER COUNTY LEGISLATURE

No. 256

### REPORT AND RESOLUTION APPROVING CONTRACT FOR ARCHITECTURAL SERVICES, CREATING PROJECT, AND APPROPRIATING FUNDS

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

WHEREAS, by letter dated October 6, 2021, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, recommendation is being made for the Herkimer County Legislature to accept the lowest proposal from Nelson Associates Architectural Engineering, 1 North Park Row, Clinton, NY 13323, for architectural services to assist in the bid for the highway garage roof replacement, at a cost of \$22,996.00; and

WHEREAS, by letter dated October 6, 2021 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the creation of a project and an appropriation in the 2021 budget will be necessary for the architectural expenses and that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that an appropriation be made as follows:

\$30,000	From: A909, Fund Balance
	To: H1620.40000, Buildings, Contractual, Project 16-2

and, be it further

RESOLVED, that the Treasurer is authorized to make any necessary adjustments to the interfund transfer accounts; and, be it further

RESOLVED, that the Herkimer County Legislature hereby approves a contract with Nelson Associates Architectural Engineering, 1 North Park Row, Clinton, NY 13323, for architectural services to assist in the bid for the highway garage roof replacement, at a cost of \$22,996.00; and, be it further

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

Dated: October 27, 2021.

At this time roll call was taken again with 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.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 257 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting SICG Target Grant funding, authorizing e-signature, creating project number, and amending 2021 budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 257

### **REPORT AND RESOLUTION ACCEPTING SICG TARGET GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT NUMBER, AND AMENDING 2021 BUDGET**

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

WHEREAS, by letter dated October 1, 2021, John J. Raymond, Director of Emergency Services has advised of the receipt of the State Interoperable Communications Grant (SICG) for FY2020 in the amount of \$672,509.00, for the period of January 1, 2021 to December 31, 2022; and

WHEREAS, by letter dated October 6, 2021 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2021 budget and create a new project, and further advises that said funds will be advanced by the County, with reimbursement from the grant; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2021 budget be amended as follows:

**REVENUE:**

H3097, Gen. Gov't Capital Projects, Project 19-6	FROM:	\$0
	TO:	\$672,509

**EXPENSE:**

H3021.25000, Public Safety Communications, Other Equipment, Project 19-6	FROM:	\$0
	TO:	\$272,509

H3021.44000, Public Safety Communications, Contracted Services,	FROM:	\$0
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Project 19-6

TO: \$400,000

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document; and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Shaw, seconded by Mr. Weakley, Report and Resolution No. 258 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant funding, authorizing e-signature, creating project number, and amending 2021 budget was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 258

### **REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING E-SIGNATURE, CREATING PROJECT NUMBER, AND AMENDING 2021 BUDGET**

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

WHEREAS, by letter dated September 29, 2021, John Raymond, Director of Emergency Services has advised of the State Homeland Security Program Grant (SHSP) and the State Law Enforcement Terrorism Prevention Program (SLETPP) Grants FY2021 in the amount of \$76,821.00, with the SHSP portion at \$57,571.00 and the SLETPP portion at \$19,250.00; and

WHEREAS, letter further advises that this grant is provided by the U.S. Department of Homeland Security and FEMA and will be managed by New York State Division of Homeland Security and Emergency Services for the period of September 1, 2021 through September 30, 2024; and

WHEREAS, by letter dated October 6, 2021 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that Project EM02-15 be established for these funds and that the 2021 budget be amended; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2021 budget be amended as follows:

Revenue:

A3020A4389H, EM HSG, Federal, Proj.: EM02-15

From: \$0  
To: \$76,821

Expenses:

A3020A.25000, EM HSG, Other Equipment, Proj.: EM02-15

From: \$0  
To: \$20,321

A3020A.44000, EM HSG, Contracted Services, Proj.: EM02-15

From: \$0  
To: \$37,250

A3020A.42100, EM HSG, Telephone, Proj.: EM02-15

From: \$0  
To: \$19,250

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant documents; and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 259 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving purchase of vehicles for Sheriff’s Department, Probation, and Emergency Services, and transferring funds was handed up; discussion was held, was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



**HERKIMER COUNTY LEGISLATURE**

No. 259

**REPORT AND RESOLUTION APPROVING PURCHASE OF VEHICLES FOR SHERIFF’S DEPARTMENT, PROBATION, AND EMERGENCY SERVICES, AND TRANSFERRING FUNDS**

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

WHEREAS, by letter dated October 6, 2021, Sheri Ferdula, Budget Officer has advised that the Sheriff’s Department is requesting two (2) vehicles, Probation is requesting two (2) vehicles, and Emergency Services is requesting one (1) vehicle, and that an opportunity has arisen to piggyback on an Albany City contract for 2021 Dodge Durango Police Package vehicles; and

WHEREAS, letter further advises the Sheriff would need two (2) 8 cylinders at a cost of \$35,300 each with approximately \$7,000 per vehicle for lights and radios, Probation would need two (2) 6 cylinders at a cost of \$33,300 each, and Emergency Services would need one (1) 6 cylinder at a cost of \$33,300, with all five (5) vehicles to be purchased from Main Motorcar, 224-228 Main Street, Johnstown, NY 12095; now, therefore, be it

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

RESOLVED, additional funds will be necessary and have been verified for the following transfers:

\$20,000	From: A3020.44000, Public Safety, Contracted Services To: A3020.23000, Public Safety, Motor Vehicles
\$13,300	From: A3021.44000-455, PS Communication, Misc. Contractual To: A3020.23000, Public Safety, Motor Vehicles
\$42,300	From: A3110.10000-001, Sheriff, Salaries To: A3110.23000, Sheriff, Motor Vehicles
\$42,300	From: A6100.40000, Medicaid, Contractual Expense To: A3150.23000, Jail, Motor Vehicles
\$66,600	From: A6100, 40000, Medicaid, Contractual Expense To: A3140.23000, Probation, Motor Vehicles

and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 260 sponsored by the Committee on Ways & Means amending budget in connection with additional CHIPS funds for 2021 was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 260

### REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH ADDITIONAL CHIPS FUNDS FOR 2021

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 6, 2021 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2021 Budget in connection with the receipt of additional CHIPS funds for 2021; now, therefore, be it

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

D9552.3501, Consolidated Highway Improvements	From: \$5,000,000 To: \$6,418,153
D9552.90200, Provision for Construction	From: \$5,000,000 To: \$6,418,153

and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Campione, seconded by Mr. Ackerman, Report and Resolution No. 261 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant, creating project, and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 261

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

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

WHEREAS, by letter dated October 4, 2021, from Michael L. Edwards, STOP-DWI Coordinator, he has requested this Legislature accept funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$17,500 for the period of October 1, 2021 through September 30, 2022, as a pass through funding stream administered by the County; and

WHEREAS, by letter dated October 6, 2021 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer

County Budget for 2021 and create a project number in connection with the receipt of said funding; now, therefore, be it

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

Revenue:	A3315A.4389G, Impaired Driving Det., DWI Crackdown, Project SD02-9	From: \$11,000 To: \$28,500
Expense:	A3315A.44000, Impaired Driving Det., Contracted Services, Project SD02-9	From: \$11,000 To: \$28,500

and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Report and Resolution No. 262 sponsored by the Committee on Ways & Means relating to cancelled taxes and rejected taxes was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 262

### REPORT AND RESOLUTION RELATING TO CANCELLED TAXES AND REJECTED TAXES

#### Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the reports of the County Treasurer, with account attached thereto, showing the amounts of cancelled taxes and rejected taxes as of September 24, 2021 which should be charged back to the respective towns, municipalities and districts set forth on said account, does respectfully report that we have examined the same, inquired into the subject matter thereof, and offer the following Resolution:

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

<u>TOWN</u>	<u>CANCELLED TAXES</u>	<u>REJECTED TAXES</u>	<u>TOTAL</u>	<u>TOWN PORTION FOR LEVY</u>
City of Little Falls	2,417.91		2,417.91	0.00
<b>Totals</b>	2,417.91		2,417.91	0.00

and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Shaw, seconded by Mr. Hollum, Report and Resolution No. 263 sponsored by the Committee on Ways & Means authorizing transfer of funds in the Public Health Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 263

### REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE PUBLIC HEALTH DEPARTMENT

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

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated October 6, 2021, submitting a request for a transfer of funds to reflect modifications to the original submitted budget for the COVID funding in Herkimer County Public Health, with a second round of monies that were received allowing for funds to be allocated to more areas, reports that we have examined said communication, inquired into the subject matter thereof, and 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 Project COVID-2:

\$16,619      From: A4188A.10000-001, COVID Funding, Salaries  
                   To:   A4188A.25000, COVID Funding, Other Equipment



\$1,377 From: A4188A.10000-001, COVID Funding, Salaries  
To: A4188A.44000, COVID Funding, Contracted Services  
\$4,000 From: A4188A.41000, COVID Funding, Supplies  
To: A4188A.44000, COVID Funding, Contracted Services  
\$996 From A4188A.46100, COVID Funding, Mileage  
To: A4188A.44000, COVID Funding, Contracted Services  
\$6,619 From: A4188A.86000, COVID Funding, Health Insurance  
To: A4188A.44000, COVID Funding, Contracted Services

and, be it further

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

Dated: October 27, 2021.

Chairman Bono dispensed with the regular session to welcome the student in attendance who is participating in the Cornell Cooperative Extension Government Intern Program and asked her to introduce herself and the school district she represented.

The Chairman continued with the Regular Agenda.

On motion of Mr. Hollum, seconded by Mr. Donley, Report and Resolution No. 264 sponsored by the Committee on Ways & Means transferring funds in the Board of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 264

### REPORT AND RESOLUTION TRANSFERRING FUNDS IN THE BOARD OF ELECTIONS

#### Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 80 of 2021 approved the purchase of a Clear Ballot ClearCounty/ClearAudit system in the Board of Elections; and

WHEREAS, by letter received October 6, 2021, from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the Board of Elections has since received grant funding that will cover the cost of the machine and that transfers within the 2021 budget and the creation of an expense account will be necessary to move the expense to the grant account as follows:

\$49,184.92 From: A1450L.44000, BOE TIER Grant  
To: A1450L.25000, BOE TIER Grant, Other Equipment (create)  
\$5,000 From: A1450L.46300, BOE TIER Grant, Postage and Freight  
To: A1450L.25000, BOE TIER Grant, Other Equipment  
\$2,095.08 From: A1450L.41000, BOE TIER Grant, Supplies  
To: A1450L.25000, BOE TIER Grant, Other Equipment

now, therefore, be it

RESOLVED, that the above transfer of funds and creation of an expense account is approved; and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 265 sponsored by the Committee on Ways & Means authorizing purchase, creating accounts, and transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 265

### REPORT AND RESOLUTION AUTHORIZING PURCHASE, CREATING ACCOUNTS, AND TRANSFERRING FUNDS

#### Sponsored by: Committee on Ways & Means

WHEREAS, by letter dated September 30, 2021, Kimberlee Enea, County Treasurer, has requested the purchase of the New World .NET financial solution from Tyler Technologies to replace the current system; and

WHEREAS, the cost of the new system will be \$367,348, with an additional \$32,160 for travel expenses, for a total not to exceed \$399,508; and

WHEREAS, by letter dated September 30, 2021, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that the creation of new accounts and transfers of funds will be necessary for said purchase; now, therefore, be it

RESOLVED, that the above described purchase of the New World .NET financial solution from Tyler Technologies in the amount of \$367,348, with an additional \$32,160 for travel expenses, for a total not to exceed \$399,508 is approved; and, be it further

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to create accounts and to transfer the following sum from and to the following accounts in the 2021 Budget:

\$399,508	From: A4089, Federal Aid, ARP Funding
	To: A1325A.4089A, Treasurer ARP (create)
\$399,508	From: A1989A.46000, ARP Funding, Miscellaneous Expense
	To: A1325A.44000, Treasurer ARP, Contracted Services (create)

and, be it further

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

Dated: October 27, 2021.

On motion of Mr. Schrader, seconded by Mr. Gaworecki, Report and Resolution No. 266 sponsored by the Committee on County Properties authorizing cancellation of outstanding tax liens on 357/359 King Street 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. 266

### REPORT AND RESOLUTION AUTHORIZING CANCELLATION OF OUTSTANDING TAX LIENS ON 357/359 KING STREET

**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"] was the subject of the In Rem proceedings brought by the County of Herkimer for the tax year 2019; and

WHEREAS, by letter of Mayor Mark Netti dated October 5, 2021, the Village of Herkimer has requested that the County cancel and forgive all outstanding tax liens on premises known as 357/359 King Street in the Village of Herkimer; and

WHEREAS, the County has been advised that the Village of Herkimer will take title to 357/359 King Street from the prior owners and that the Village of Herkimer will enter into an agreement with the County providing that upon proof of Village ownership of the premises that the County will cancel outstanding tax liens; now therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to enter into an agreement with the Village of Herkimer that upon proof of recording of the deed to 357/359 King Street from the prior owners to the Village of Herkimer in the Office of the County Clerk, the County will cancel all outstanding tax liens on the premises, being the amount of \$36,006.43; and, be it further

RESOLVED, that said agreement between the County and the Village of Herkimer will provide that in the event that the Village sells the property for an amount in excess of the general fund revenues expended by the Village to prepare the property for resale, the Village shall reimburse the County for the amount received by the Village in excess of the general funds (excluding grant funds) expended by the Village up to the amount of taxes forgiven by the County; and, be it further

RESOLVED, that in the event that the Village of Herkimer takes title to the premises and enters into an agreement with the County containing the above terms, this Legislature shall determine that there is no practical method to enforce the collection of tax liens on the parcel, and supplementary proceedings to enforce collection will not be effective, and the County will cancel the delinquent tax liens on the premises and the County Property Agent is directed at that time to issue and file a Certificate of Cancellation; 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: October 27, 2021.

On motion of Mr. Ackerman, seconded by Mr. Russell, Resolution No. 267 sponsored by the Committee on Administration/Veterans' Affairs to appoint a commission to evaluate existing County Legislative Districts for equity and representation was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## **HERKIMER COUNTY LEGISLATURE**

No. 267

### **RESOLUTION TO APPOINT A COMMISSION TO EVALUATE EXISTING COUNTY LEGISLATIVE DISTRICTS FOR EQUITY AND REPRESENTATION**

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, the County of Herkimer adopted a County Charter in 1966, which establishes county legislative districts within the County of Herkimer; and

WHEREAS, the said Charter provides that the County Legislature shall appoint a commission to evaluate existing county legislative districts for equity and representation in relation to population within three months after publication of the results of each federal census; and

WHEREAS, the County Charter provides that said commission shall consist of the Commissioners of the County Board of Elections, the Chairman of the County Legislature, one person selected by the members of the majority political party in the County Legislature, and one person selected by the members of the minority party or parties represented in the County Legislature; now, therefore, be it

RESOLVED, that a commission be appointed to evaluate the existing county legislative districts for equity and representation in relation to population, to consist of the Chairman of the legislature, the Election Commissioners, one member selected by the majority party in the Legislature, said selection to be indicated by a letter filed with the clerk of this Legislature, and one member selected by the minority party in the Legislature, said selection to be indicated by a letter filed with the Clerk of the Legislature; and, be it further

RESOLVED, that said Commission shall serve per the duties provided in Section 206 of the Charter of the County Legislature of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to each member of the Commission with all convenient speed.

Dated: October 27, 2021.

On motion of Mr. Donley, seconded by Mr. Russell, Resolution No. 268 sponsored by the Committee on Ways & Means approving standard work day and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 268

### **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:

<b>Title:</b>	<b>Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs</b>	<b>Name: (First and Last)</b>	<b>Social Security Number: (Last 4 digits)</b>	<b>NYSLRS ID:</b>	<b>Tier 1 (Check only if member is Tier 1)</b>	<b>Current Term Begin &amp; End Dates: (mm/dd/yyyy-mm/dd/yyyy)</b>	<b>Record of Activities Result</b>	<b>Not Submitted: (Check only if official did not submit their Record of Activities)</b>
<b>Appointed Officials</b>								
Assistant Dist. Attorney	7	Robert Calli	████	██████████		01/01/21-12/31/24	20.48	
Assistant Dist. Attorney	7	Michael Johnson	████	██████████		01/01/21-12/31/24	21.97	
Assistant Dist. Attorney	7	Elizabeth S. Healy	████	██████████		10/19/20-12/31/24	21.84	
Social Services Attorney	6	Kyle W. Crandal	████	██████████		10/01/2021-09/30/2026	14.74	
Social Services Attorney	7	Michelle K. Fassett	████	██████████		10/01/2021-09/30/2026	22.78	

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: October 27, 2021.

On motion of Mr. Hollum, seconded by Mr. Weakley, Resolution No. 269 sponsored by the Committee on Administration/Veterans’ Affairs supporting Operation Green Light for active military service members in transition to civilian life (Veteran Status) was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.



## HERKIMER COUNTY LEGISLATURE

No. 269

### **RESOLUTION SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE (VETERAN STATUS)**

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, the residents of Herkimer County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Herkimer County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, civil service; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20% increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, Herkimer County appreciates the sacrifices our United States Military Personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned; now, therefore, be it

RESOLVED, with designation as a Green Light for Military Service County, Herkimer County hereby declares from October through Veterans' Day, November 11<sup>th</sup> 2021, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; and, be it further

RESOLVED, that in observance of Operation Green Light, Herkimer County encourages its citizens in patriotic tradition to recognize the importance of honoring all those whose immeasurable sacrifices helped to preserve freedom by displaying a green light in a window of their place of business or residence; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Director of Veterans' Service Agency, NYSAC, and the Town Supervisors, City of Little Falls Mayor, and Village Mayors in Herkimer County.

Dated: October 27, 2021.

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

At 7:19 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, November 17, 2021 at 7:00 p.m. with a Public Hearing on Introductory Local Law B of 2021 at 6:00 p.m., a Public Hearing for CDBG – HPK Industries, Inc. at 6:05 p.m., a Public Hearing on the assessment roll of the part County Sewer District at 6:10 p.m., and a Public Hearing on Introductory Local Law C of 2021 at 6:15 p.m.

Jennifer L. Williams, Deputy Clerk