

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Second Day**  
**Wednesday, January 26, 2022**  
**7:00 p.m.**

**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 \$200,000 award for the Microenterprise Grant project was called to order by Kurt J. Ackerman, Chairman of the County Planning & Development Committee, at 6:25 p.m. Legislator Ackerman asked the Clerk of the Legislature to call the roll of Legislators. The Clerk called the roll, the following answered: Gaworecki, Hollum, Johnson, Stephens, Keeler, Manno, Bono, Ackerman, Campione, Weakley (10). Quorum present. Legislator Ackerman asked the Clerk to read the Notice of Public Hearing. The Clerk read the Notice. Legislator Ackerman asked that any person wishing to speak to rise, state their name and address and limit comment to five minutes. Chairman Bono made a comment. With no other persons wishing to speak and no persons signed in, the hearing was declared closed at 6:27 p.m.

Brittney R. Viscomi, Clerk  
Herkimer County Legislature

LEGAL NOTICE

HERKIMER COUNTY  
NOTICE OF PUBLIC HEARING

Herkimer County Legislature will hold a public hearing on January 26, 2022 at 6:25 p.m., in the Legislature Chambers, 109 Mary Street, Herkimer, New York, for the purpose of hearing public comments on the Herkimer County's current Community Development Block Grant (CDBG) project: No. 528ME136-19, for a Microenterprise Grant in the amount of \$200,000. 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 January 26, 2022 to:

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

Dated: January 17, 2022.

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 Sheri Ferdula, Budget Officer/Purchasing Agent, 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: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Ackerman, Donley, Campione, Russell, Weakley (14).

Absent: Malta, Swartz, Shaw (3).

Chairman Bono dispensed with the Regular Session to allow for a presentation and introduced Congresswoman Elise Stefanik.

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 January 3, 2022. There were none, and the Chairman ordered them approved.

Chairman Bono stated that the communications received by the Legislature and the committees to which they were referred were as listed on the agenda, and asked if any member of the Legislature requested mention of any particular communication. There were no requests.

No. 4 – A communication was received from the County Auditor submitting letter appointing Deputy Auditor. Filed.

No. 5 – A communication was received from the County Attorney submitting Order Designation of Assistant County Attorneys. Filed.

No. 6 – A communication was received from the Clerk of the Legislature submitting appointment of Deputy Clerk. Filed.

No. 7 – A communication was received from the Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 8 – A communication was received from LS Power Grid submitting notice of the start of Segment III Construction. Filed.

No. 9 – A communication was received from LS Power Grid submitting notice filed for proposed Environmental Management and Construction Plan for Segment IV of the Central East Energy Connect Project. Filed.

No. 10 – A communication was received from the Solid Waste Authority submitting 2022 Budget highlights. Filed.

No. 11 – A communication was received from Herkimer County Soil & Water Conservation District advising of monthly meeting. Filed.

No. 12 – A communication was received from the District Attorney advising of position changes. Filed.

No. 13 – A communication was received from the Highway Superintendent requesting discussion for bridge projects. Referred to the Committee on Highways.

No. 14 – A communication was received from the Highway Superintendent requesting discussion to review report on the highway garage roof. Referred to the Committee on Highways.

No. 15 – A communication was received from the Director of Public Health requesting upgrades to webpage in connection with COVID-19. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 16 – A communication was received from the County Sheriff submitting September Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 17 – A communication was received from the County Sheriff submitting October Monthly Report. Referred to the Committee on Public Safety & Emergency Management.

No. 18 – A communication was received from the Budget Officer/Purchasing Agent requesting renewal of agreement with Davis-Ulmer Fire Protection. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 19 – A communication was received from the Budget Officer/Purchasing Agent requesting the Chairman to sign a contract with the NYS Office of Court Administration for reimbursement of court cleaning expenses. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 20 – A communication was received from the Commissioner of Social Services submitting request from Mary Sullivan for extension of leave of absence. Referred to the Committee on Ways & Means.

No. 21 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Mental Health grant. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 22 – A communication was received from the Director of Probation requesting renewal of Alternatives to Incarceration Contract. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 23 – A communication was received from the Town of Webb Publicity Director requesting designation as Tourist Promotion Agency. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 24 – A communication was received from Bob D. Hollum, Majority Leader advising of nomination for Ethics Board appointment. Referred to the Committee on Ways & Means.

No. 25 – A communication was received from the Chairman of the Legislature advising of appointment to Herkimer County Planning Board. Referred to the Committee on County Planning & Development.

No. 26 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment for IDA. Referred to the Committee on Ways & Means.

No. 27 – A communication was received from the Personnel Officer requesting to amend Salary Schedule III in Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 28 – A communication was received from the Director of Information Services requesting approval to renew Varonis software subscription and maintenance contract. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 29 – A communication was received from the Highway Superintendent requesting approval to purchase equipment in Highway Department. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 30 – A communication was received from the Highway Superintendent requesting approval to purchase equipment in the Highway Department. Referred to the Committee on Highways and the Committee on Ways & Means.

No. 31 – A communication was received from the Director of Public Health requesting to increase clinic reimbursement rate for veterinarians who cover rabies vaccine clinics. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 32 – A communication was received from the Highway Superintendent requesting property access for maintenance and drainage at culvert located on Castle Road. Referred to the Committee on Highways.

No. 33 – A communication was received from the County Attorney requesting resolution for a settlement in connection with opioid litigation. Referred to the Committee on Ways & Means.

No. 34 – A communication was received from the Commissioner of Social Services requesting agreement for partnership in a project to meet basic food and nutrition needs of county residents. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 35 – A communication was received from the Director of Probation requesting to accept grant funding and authorize Chairman to e-sign. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 36 – A communication was received from the County Sheriff requesting maintenance contract. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 37 – A communication was received from the Herkimer-Oneida Counties Transportation Council Program Manager requesting resolution supporting host agency agreement for Oneida County to continue hosting the Herkimer-Oneida Counties Transportation Council Metropolitan Planning Organization (HOCTC MPO). Referred to the Committee on County Planning & Development.

No. 38 – A communication was received from the Director of Information Services requesting discussion on archiving. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 39 – A communication was received from the Personnel Officer requesting amendment to Salary Schedule III in the Sheriff's Department. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 40 – A communication was received from CSEA advising of ratification of contract. Referred to the Committee on Ways & Means.

Pursuant to Rule 6, Chairman Bono then proceeded with Reports of Standing Committees. Legislator Campione, Chairman of the Highways Committee, gave an update that he attended a Town of Stark meeting and they are moving forward with a bridge project.

The Chairman continued with the Regular Agenda.

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 7 sponsored by the Committee on County Planning & Development reappointing member to the Herkimer County Planning Board was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 7

### REPORT AND RESOLUTION REAPPOINTING MEMBER TO THE HERKIMER COUNTY PLANNING BOARD

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

WHEREAS, pursuant to Local Law No. 2, Section I for the year 1963, a County Planning Board was established; and

WHEREAS, letter dated January 14, 2022, the Chairman of the Herkimer County Legislature has made a reappointment to the Herkimer County Planning Board; now, therefore, be it

RESOLVED, that the reappointment of Theodore Teletnick, West Winfield, NY 13491 to the Herkimer County Planning Board with the terms as listed is hereby ratified and confirmed:

Reappointments:

Theodore Teletnick, West Winfield, NY 13491

Term Expiration:

12/31/2028

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer-Oneida County Comprehensive Planning Board, and Theodore Teletnick.

Dated: January 26, 2022.

On motion of Mr. Campione, seconded by Mr. Hollum, Report and Resolution No. 8 sponsored by the Committee on Ways & Means appointing member to the Herkimer County Board of Ethics was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 8

### RESOLUTION APPOINTING MEMBER TO THE HERKIMER COUNTY BOARD OF ETHICS

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

WHEREAS, the Ethics Law adopted by the Herkimer County Legislature provides for three year terms of members of the Herkimer County Board of Ethics; and

WHEREAS, by letter dated January 6, 2022 from Bob D. Hollum, Majority Leader, has made an appointment of Bernard Peplinski, Sr., of Ilion, New York to fill an unexpired term on the Herkimer County Ethics Board, with said term to expire December 31, 2023; now, therefore, be it

RESOLVED, that the appointment of Bernard Peplinski, Sr., to the Herkimer County Board of Ethics with a term to expire December 31, 2023 is hereby ratified and confirmed; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 9 sponsored by the Committee on Ways & Means amending 2021 budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



**HERKIMER COUNTY LEGISLATURE**

No. 9

**REPORT AND RESOLUTION AMENDING 2021 BUDGET**

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

WHEREAS, by letter dated January 11, 2022 from Sheri Ferdula, Budget Officer/ Purchasing Agent, this Legislature is advised that Resolution No. 271 of 2020 approved additional funding for the Herkimer County IDA for infrastructure improvements needed at the Frankfort 5S South Business Park and it is necessary to amend the 2021 Budget for the additional funding of \$50,000; now, therefore, be it

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

\$50,000      From: A909, Fund Balance  
                  To:     A6420.40000, IDA, Contractual

and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Keeler, seconded by Mr. Schrader, Report and Resolution No. 10 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing agreement for partnership project to meet basic food and nutrition needs of County residents was handed up; voted on and adopted by voice vote:

For: Ayes (14).                      Against: None.                      Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 10

### **REPORT AND RESOLUTION AUTHORIZING AGREEMENT FOR PARTNERSHIP IN A PROJECT TO MEET BASIC FOOD AND NUTRITION NEEDS OF COUNTY RESIDENTS**

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

WHEREAS, by letter dated January 6, 2022 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that Mohawk Valley Economic Development District (MVEDD) in partnership with Cornell Cooperative Extension – Herkimer County and Living ADK (formerly known as CAP-21) have presented a planning project to address low food access and availability in some of the most rural parts of Herkimer County, in the Adirondack Park; and

WHEREAS, this project seeks to create a strategic plan to address topics which include, but are not limited to, supply chain limits, lack of regional connectivity, and lack of foods; and

WHEREAS, letter further advises Herkimer County has been approached by MVEDD, the Community Foundation of Herkimer and Oneida Counties, and Living ADK to become a partner in this project to meet basic food and nutrition needs of county residents and requests authorization to provide a portion of this projects funding in the amount of \$4,700 to be allocated as follows:

\$4,200.00 – Facilitator  
\$ 500.00 – Printing Costs

now, therefore, be it



RESOLVED, that authorization is given for an agreement for partnership in the above described project to meet basic food and nutrition needs of county residents is approved; and, be it further

RESOLVED, that payment be directed to Mohawk Valley Economic Development District, P.O. Box 69, Mohawk, NY 13407 upon receipt of all required documentation; 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, MVEDD, the Community Foundation of Herkimer and Oneida Counties, Cornell Cooperative Extension – Herkimer County, and Living ADK.

Dated: January 26, 2022.

On motion of Mr. Stephens, seconded by Mr. Ackerman, Report and Resolution No. 11 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means approving service agreement in the Sheriff's Department was handed up; voted on and adopted by voice vote:

For: Ayes (14).                      Against: None.                      Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 11

### REPORT AND RESOLUTION APPROVING SERVICE AGREEMENT IN THE SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated January 4, 2022, Scott F. Scherer, Sheriff, has requested approval to enter into a service agreement with Trane, to cover a scheduled number of specific service events and associated labor performed during Trane normal business hours as outlined in the equipment coverage and services section of the agreement; and

WHEREAS, letter further advises this would cover 13 rooftop air conditioning/heating units and 1 makeup air handler at the Herkimer County Correctional Facility, at a cost of \$7,884.00 per year, for the period of January 1, 2022 through December 31, 2022; now, therefore, be it

RESOLVED, authorization is given to enter into a contract with Trane, 15 Technology Place, East Syracuse, NY 13057, \$7,884.00 per year, for the period of January 1, 2022 through December 31, 2022; and, be it further

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

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

Dated: January 26, 2022.

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

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 12

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

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

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

WHEREAS, by letter dated January 3, 2022, from Garry Murphy, Director of Probation, this Legislature is advised of the request for acceptance of a grant from the State Division of Criminal Justice Services, for the period from October 1, 2021 through September 30, 2022, in the total amount of \$6,082.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by e-signature a contract with the New York State Division of Criminal Justices to receive an Ignition Interlock Device Monitoring Project Grant for the period from October 1, 2021 through September 30, 2022, in the total amount of \$6,082.00, with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Donley, Report and Resolution No. 13 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing purchase of 2022 Ram 5500 Crew Cab in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 13

### REPORT AND RESOLUTION AUTHORIZING PURCHASE OF 2022 RAM 5500 CREW CAB IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated January 4, 2022, Mark A. Nagele, County Highway Superintendent has requested to purchase a 2022 Ram 5500 Crew Cab at a cost of \$74,999.90 through OGS, Sourcewell or Piggyback contracts; and

WHEREAS, it is the recommendation of the County Highway Superintendent and your committees that the purchase be made as follows:

Onondaga Cry #ONGOV-106-19 Statewide Piggyback Contract  
\$74,999.90 – 2022 Ram 550 Crew Cab  
Robert Green Truck Division, Route 17 East Exit 107, PO Box 8002, Rock Hill, NY  
12775

now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes the purchase of a 2022 Ram 5500 Crew Cab at a cost of \$74,999.90 through OGS, Sourcewell or Piggyback contracts; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 14 sponsored by the Committee on Highways and the Committee on Ways & Means authorizing purchase of 2020 LeeBoy 3000C Force Feed Loader in Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 14

### REPORT AND RESOLUTION AUTHORIZING PURCHASE OF 2020 LEEBOY 3000C FORCE FEED LOADER IN HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated January 4, 2022, Mark A. Nagele, County Highway Superintendent has requested to purchase a 2020 LeeBoy 3000C Force Feed Loader at a cost of \$200,000.00; and

WHEREAS, it is the recommendation of the County Highway Superintendent and your committees that the purchase be made as follows:

Sourcewell Contract #052417 – VTL  
\$200,000.00 – 2020 LeeBoy 3000C  
Stephenson Equipment, Inc., 7201 Paxton Street, Harrisburg, PA 17111

now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes the purchase of a 2020 LeeBoy 3000C Force Feed Loader at a cost of \$200,000.00; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 15 sponsored by the Committee on Highways with regard to compliance with NYS Highway Law Article 2 Section 118-B in connection with property access for maintenance and drainage of an existing culvert on Castle Road County Road 7, Town of Fairfield was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 15

### **REPORT AND RESOLUTION WITH REGARD TO COMPLIANCE WITH NEW YORK STATE HIGHWAY LAW ARTICLE 2 SECTION 118-B IN CONNECTION WITH PROPERTY ACCESS FOR MAINTENANCE AND DRAINAGE OF AN EXISTING CULVERT ON CASTLE ROAD COUNTY ROAD 7, TOWN OF FAIRFIELD**

#### **Sponsored by: Committee on Highways**

WHEREAS, a ditch located on Castle Road in the Town of Fairfield requires maintenance and opening of existing drainage; and

WHEREAS, the ditch is located along two properties, one owned by Desmond B. Callender, Tax Map #107.2-2-8.1; and

WHEREAS, entry upon said lands of Mr. Callender are necessary for this project; and

WHEREAS, beginning in December 2020, the Herkimer County Highway Department has made numerous attempts by telephone and certified mail to contact Mr. Callender attempting to get permission to perform the necessary work on his property; and

WHEREAS, Mr. Callender has never responded to nor contacted the Herkimer County Highway Department; and

WHEREAS, as required by New York State Highway Law, Article 2, Section 118-b, the County Highway Department must be authorized by the County Legislature to enter upon said lands to perform the proposed work; and

WHEREAS, the owner of the other property has provided the County with a release to perform the work necessary on their property; now, therefore, be it

RESOLVED, that the Herkimer County Highway Superintendent is authorized to enter upon the lands of Desmond B. Callender, Tax Map #107.2-2-8.1, for the purpose of performing maintenance work and opening an existing drainage ditch from a culvert located on Castle Road in the Town of Fairfield; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Stephens, seconded by Mr. Donley, Report and Resolution No. 16 sponsored by the Committee on Ways & Means authorizing and approving a settlement agreement with Allergan to an action relating to the opioid crisis was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 16

### **REPORT AND RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH ALLERGAN TO AN ACTION RELATING TO THE OPIOID CRISIS**

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

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al, under Index No. 400000/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of Herkimer is a named Plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including Allergan and its subsidiaries; and

WHEREAS, the Action alleges several causes of action against defendant based on claims that Allergan contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in Herkimer County; and

WHEREAS, assuming that all incentives are met by participating municipalities, under the parameters of the Allergan settlement and sharing agreements, Herkimer County will receive a one-time direct payment of \$131,682, in one lump sum to be used 50% at the County’s discretion and 50% for approved uses as set forth in the proposed settlement agreements, and Herkimer County will further be entitled to receive a percentage of funds from the Allergan New York Sharing Agreement through a “Regional Spend Fund” for approved uses; and

WHEREAS, it is in the best interest of the County of Herkimer to resolve this matter with respect to Allergan and its subsidiaries without protracted litigation; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized, subject to County Attorney approval, to execute the Allergan New York Subdivision Election and Release Form, the Allergan New York Sharing Agreement, or agreements in a form substantially similar thereto, and to execute such other documents as may be necessary and appropriate to effectuate the settlement with Allergan and its subsidiaries; and be it further

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

Dated: January 26, 2022.

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 17 sponsored by the Committee on Human Resources and the Committee on Ways & Means increasing payment for Veterinarians who cover rabies vaccine clinics was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 17

### REPORT AND RESOLUTION INCREASING PAYMENT FOR VETERINARIANS WHO COVER RABIES VACCINE CLINICS

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

WHEREAS, by letter dated January 3, 2022, Christina Cain, Director of Public Health, has requested approval to increase the clinic reimbursement rate for the veterinarians who cover rabies vaccine clinics; and

WHEREAS, said letter further advises prior compensation was \$175 per clinic which includes travel time, mileage, prep and accrued clinic time, and they hold approximately 12 clinics annually which on average are 3-4 hours per clinic; now, therefore, be it

RESOLVED, that the current clinic reimbursement rate for the veterinarians who cover rabies vaccine clinics be increased from \$175 per clinic to \$250 per clinic, effective January 26, 2022; 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: January 26, 2022.

On motion of Mr. Hollum, seconded by Mr. Donley, Report and Resolution No. 18 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting grant funding, creating account, and amending 2022 budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 18

### REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, CREATING ACCOUNT, AND AMENDING 2022 BUDGET

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

WHEREAS, by letter dated January 5, 2022, Kristen Snyder-Branner, Director of Community Services has advised of an Office of Mental Health (OMH) Workforce Grant Funding in the amount of \$26,000, funded through Community Budget and Financial Management; and

WHEREAS, by letter dated January 6, 2022 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that an expense account needs to be created and that the 2022 budget be amended; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2022 budget be amended as follows:

A4320.4490, Mental Health, Federal Aid	From: \$80,000
	To: \$106,000
A4320.46100-767, Mental Health, Training (create)	From: \$0
	To: \$26,000

and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Schrader, seconded by Mr. Manno, Report and Resolution No. 19 sponsored by the Committee on Information Services and the Committee on Ways & Means renewing software subscription and maintenance contract in the Information Services Department was handed up; voted on and adopted by voice vote:

For: Ayes (14).      Against: None.      Absent: Malta, Swartz, Shaw (3).





## HERKIMER COUNTY LEGISLATURE

No. 19

### REPORT AND RESOLUTION RENEWING SOFTWARE SUBSCRIPTION AND MAINTENANCE CONTRACT IN THE INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by letter dated December 28, 2021, Kathy Wright, Director of Information Services, has requested authorization to renew the Varonis software subscription and maintenance contract through ConvergeOne of 421 Broad Street, Utica, NY at the 2022 annual cost of \$10,359.71; and

WHEREAS, letter further advises that the software is used for complete computer system monitoring, with the cost breakdown as follows:

Subscription & Support for Datadvantage for 300 users -	\$3,453.00
Collector Software & Maintenance & Support -	\$ 969.71
Dataalert Suite Software & Maintenance for 300 users -	\$3,453.00
Data Classification Framework Maintenance Support -	\$2,484.00

now, therefore, be it

RESOLVED, that the above renewal of the Varonis software subscription and maintenance contract through ConvergeOne at the 2022 annual cost of \$10,359.71 is hereby approved; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Schrader, seconded by Mr. Weakley, Report and Resolution No. 20 sponsored by the Committee on Information Services and the Committee on Ways & Means amending Salary Schedule No. III in Information Services was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Ackerman, Donley, Campione, Russell, Weakley (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 20

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

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

WHEREAS, by letter dated January 3, 2022, Kathy Wright, Director of Information Services, has requested to amend Salary Schedule III to add the position of Computer Operator-Programmer and delete the position of Computer Operator; and

WHEREAS, by letter dated January 14, 2022, Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to add a position of Computer Operator-Programmer in Account A1680 at a 2022 base pay rate of \$39,000 and delete the position of Computer Operator, effective January 31, 2022; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to add a position of Computer Operator-Programmer in Account A1680 at a 2022 base pay rate of \$39,000 and delete the position of Computer Operator, effective January 31, 2022; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Gaworecki, seconded by Mr. Johnson, Report and Resolution No. 21 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means in connection with a contract with the NYS Office of Court Administration to provide cleaning and minor repairs of court facilities was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 21

**REPORT AND RESOLUTION IN CONNECTION WITH CONTRACT WITH THE  
NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE  
CLEANING AND MINOR REPAIRS OF COURT FACILITIES**

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

WHEREAS, by Resolution No. 15 duly adopted on January 2, 2019, this Legislature authorized an agreement with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum of five years beginning April 1, 2018 through March 31, 2023; and

WHEREAS, by letter dated January 4, 2022, from Sheri Ferdula, Budget Officer and Purchasing Agent, it is requested that the Chairman sign the contract with the New York State Office of Court Administration for reimbursement of court cleaning expenses for the period of April 1, 2021 through March 31, 2022, with the maximum compensation for said period to be \$85,768.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the Annual Renewal Letter and Budget for the period April 1, 2021 through March 31, 2022 with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum compensation of \$85,768.00; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, and New York State Office of Court Administration.

Dated: January 26, 2022.

On motion of Mr. Johnson, seconded by Mr. Ackerman, Report and Resolution No. 22 sponsored by the Committee on Ways & Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Ayes (14).                      Against: None.                      Absent: Malta, Swartz, Shaw (3).



**HERKIMER COUNTY LEGISLATURE**

No. 22

**REPORT AND RESOLUTION GRANTING AN ADDITIONAL LEAVE OF ABSENCE**

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

WHEREAS, by Resolution No. 370 for the year 1986, a leave with pay was granted to Mary Sullivan extending to July 1, 1988, so that she could serve in a statewide office with the Civil Service Employees' Association; and

WHEREAS, said leave with pay was extended by resolutions thereafter, most recently by Resolution No. 2 of 2021; and

WHEREAS, by letter dated January 4, 2021, Timothy Seymour, Commissioner of Social Services has advised that by letter dated December 21, 2021, Mary Sullivan has requested said leave be extended; now, therefore, be it

RESOLVED, that a leave of absence with pay be granted to Mary Sullivan under the terms and conditions set forth in Resolution No. 370 for the Year 1986 for the period from July 1, 2022 through June 30, 2023, with the Civil Service Employees' Association, Inc. to furnish insurance in form and amount satisfactory to the Herkimer County Administrator to protect the County if held liable for any damages arising from act or omission by such employee during the period of such leave and with the County to be reimbursed for the total cost for the full salary and total cost for fringe benefits for said Mary Sullivan; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Commissioner of Social Services, Mary Sullivan, and the Civil Service Employees' Association, Inc. of New York State.

Dated: January 26, 2022.

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 23 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means authorizing renewal of Alternatives to Incarceration contracts was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 23

### REPORT AND RESOLUTION AUTHORIZING RENEWAL OF ALTERNATIVES TO INCARCERATION CONTRACTS

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

WHEREAS, by communication dated December 15, 2021, Garry Murphy, Director of Probation, advises that the State of New York Division of Criminal Justice Services has approved an extension to the Alternatives to Incarceration Plan and awards for the Pre-trial

Release Program and the Community Service Program in the amount of \$12,733 for the period July 1, 2021 through June 30, 2022; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute and e-sign the annual contracts for the Pre-Trial Release Program and Community Service Program for the period July 1, 2021 through June 30, 2022; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 24 sponsored by the Committee on County Planning & Development designating the Town of Webb as Tourist Promotion Agency was handed up; voted on and adopted by voice vote:

For: Ayes (14).                      Against: None.                      Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 24

### **REPORT AND RESOLUTION DESIGNATING THE TOWN OF WEBB AS TOURIST PROMOTION AGENCY**

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

WHEREAS, the New York State Tourist Promotion Act provides that the State of New York will match funds with the applicant tourist promotion agency, which may include, radio, television, newspapers and magazine advertising; and

WHEREAS, by letter received January 11, 2022, the Town of Webb Tourism/Publicity Director has contacted your Committee and requested that it be designated by the Herkimer County Legislature as a tourist promotion agency within the meaning of the New York State Tourist Promotion Act for the year 2022; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to send a letter to the New York State Division of Tourism "I Love NY" Campaign to guarantee Herkimer County's 2022 matching funds; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Town of Webb and the New York State I Love NY Program.

Dated: January 26, 2022.

On motion of Mr. Russell, seconded by Mr. Hollum, Report and Resolution No. 25 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing application for matching funds under the New York State Tourist Promotion Act was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 25

### REPORT AND RESOLUTION AUTHORIZING APPLICATION FOR MATCHING FUNDS UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

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

WHEREAS, the New York State Tourist Promotion Act provides that the State of New York will match funds with the applicant tourist promotion agency, which may include radio, television, newspapers, and magazine advertising; and

WHEREAS, Tourist Promotion Agency means any not-for-profit corporation or other non-profit organization, association or agency, which shall be designated by resolution of the County Legislature as the agency specified in the New York State Tourist Promotion Act, provided that the applicant has operated a tourist promotion program for at least three years prior to the enactment of the Act; and

WHEREAS, the Town of Webb has contacted your Committee by communication dated January 11, 2022 and requested that it be designated by the Herkimer County Legislature as a tourist promotion agency within the meaning of the New York State Tourist Promotion Act for the year 2022; and

WHEREAS, the Town of Webb has advised your Committee that it will appropriate the necessary funds to match the state funds for this Program; now, therefore, be it

#### RESOLVED:

1. That the Herkimer County Legislature hereby designates the Town of Webb as a tourist promotion agency within the County of Herkimer effective this date within the meaning of the New York State Tourist Promotion Act; and

2. That the Herkimer County Legislature hereby authorizes the Town of Webb to make application for and to receive matching funds under the New York State Tourist Promotion Act for the calendar year 2022;

3. That the Herkimer County Legislature hereby certifies that the Town of Webb has acted as a Tourist Promotion Agency and has been in operation in such capacity prior to the enactment of the said Act;

4. That certified copies of this Resolution be forwarded to the Town of Webb and the New York

State I Love NY Program.

Dated: January 26, 2022.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 26 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending Salary Schedule No. III in the Sheriff's Department was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Ackerman, Donley, Campione, Russell, Weakley (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 26

### REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. III IN SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated January 6, 2022, Scott Scherer, Sheriff, has requested to amend the Salary Schedule to add and delete positions within the Herkimer County Sheriff's Department; and

WHEREAS, by letter dated January 21, 2022, Steven R. Billings, Personnel Officer, your Committees, have been advised that Salary Schedule No. III should be amended in Account A3110 by adding two positions of Civil Clerk at a 2022 base pay rate of \$31,027, subject to any contract negotiated pay increases with CSEA, and deleting one position of Account Clerk and one position of Clerk, effective February 1, 2022; now, therefore, be it

RESOLVED, that Salary Schedule No. III should be amended in Account A3110 by adding two positions of Civil Clerk at a 2022 base pay rate of \$31,027, subject to any contract negotiated pay increases with CSEA, and deleting one position of Account Clerk and one position of Clerk, effective February 1, 2022; and, be it further

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

Dated: January 26, 2022.

On motion of Mr. Russell, seconded by Mr. Campione, Resolution No. 27 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 (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 27

### 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)	NYSLR S 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)
<b>Elected Officials</b>								
Legislator	6	Mark Gaworecki	■■■■	■■■■		01/01/22-12/31/23	3.46	
Legislator	6	Robert J. Schrader	■■■■	■■■■		01/01/22-12/31/23	18.86	
Legislator	6	Raymond Johnson	■■■■	■■■■		01/01/22-12/31/23	24.67	
Legislator	6	John L. Brezinski	■■■■	■■■■		01/01/22-12/31/23	6.65	
Legislator	6	Peter F. Manno	■■■■	■■■■		01/01/22-12/31/23	4.42	
Legislator	6	Vincent J. Bono	■■■■	■■■■		01/01/22-12/31/23	16.60	



Legislator	6	Kurt J. Ackerman				01/01/22-12/31/23	5.14	
Legislator	6	Patrick E. Russell				01/01/22-12/31/23	13.28	
Legislator	6	William Weakley				01/01/22-12/31/23	5.69	
<b>Appointed Officials</b>								
Assistant County Atty.	6	Kyle Crandall				01/01/22-12/31/23	9.80	
Commissioner, Board of Elections	7	Kim Tranter				01/21/21-12/31/22	19.77	

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: January 26, 2022.

On motion of Mr. Ackerman, seconded by Mr. Gaworecki, Resolution No. 28 sponsored by the Committee on County Planning & Development supporting Host Agency Agreement for Oneida County to continue hosting the Herkimer-Oneida Counties Transportation Council Metropolitan Planning Organization (HOCTC MPO) was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 28

### **RESOLUTION SUPPORTING HOST AGENCY AGREEMENT FOR ONEIDA COUNTY TO CONTINUE HOSTING THE HERKIMER-ONEIDA COUNTIES TRANSPORTATION COUNCIL METROPOLITAN PLANNING ORGANIZATION (HOCTC MPO)**

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

WHEREAS, the Herkimer-Oneida Counties Transportation Council was designated by the Governor of the State of New York as the Metropolitan Planning Organization (HOCTC MPO) responsible for the comprehensive, continuing, and cooperative transportation planning process for Herkimer and Oneida Counties, including the Utica Urbanized Area; and

WHEREAS, the MPO and its constituent Member Agencies, designates the Host Agency to undertake certain transportation planning activities as described in the annual UPQP and thereafter seek reimbursement by NYSDOT for project work performed by or through the Host Agency in accordance with the Host Agency Agreement; and

WHEREAS, Oneida County has served the MPO Host Agency to staff, contract, and otherwise provide administration for the Herkimer-Oneida Counties Transportation Council as established in the annual work program; and

WHEREAS, the State of New York is desirous of executing a new Host Agency Agreement with Oneida County to update references to Federal transportation laws and regulations, provide consistency in host agency agreements across the state, and otherwise update the language and understandings of the agreement between NYS, Host Agencies, and the MPOs; and

WHEREAS, the current Host Agency Agreement between the State of New York and Oneida County began April 1, 2012 and is in effect through March 31, 2022; and

WHEREAS, the Host Agency Agreement, as presented and attached continues the Hosting agreement unchanged for ten years effective April 1, 2022 through March 31, 2032; now, therefore, be it

RESOLVED, that Herkimer County hereby acknowledges and recommends the execution of a new MPO Host Agency Agreement between Oneida County, as Host Agency, and the State of New York to continue the work of the HOCTC MPO; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Oneida County, and Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: January 26, 2022.

On motion of Mr. Hollum, seconded by Mr. Donley, Resolution No. 29 sponsored by the Committee on Administration/Veterans' Affairs setting public hearing on Introductory Local Law A for 2022 was handed up; voted on and adopted by voice vote:

For: Ayes (14).            Against: None.            Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 29

### RESOLUTION SETTING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW A FOR 2022

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

We, the Committee on Administration/Veterans' Affairs, are causing to be prepared and will present Introductory Local Law A for 2022 entitled "A LOCAL LAW DETERMINING

LEGISLATIVE DISTRICTS IN AND FOR THE COUNTY OF HERKIMER” 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 on the 4<sup>th</sup> day of February, 2022 at 9:10 a.m., in the Legislature Chambers of the County Office Building, Herkimer, New York; and, be it further

RESOLVED, that at least five days prior to such 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: January 26, 2022.

On motion of Mr. Ackerman, seconded by Mr. Campione, Report and Resolution No. 30 sponsored by the Committee on County Properties and the Committee on Ways & Means authorizing renewal of agreement to perform inspection services at the County Office and Court Buildings was handed up; voted on and adopted by voice vote:

For: Ayes (14).                      Against: None.                      Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 30

### **REPORT AND RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT TO PERFORM INSPECTION SERVICES AT THE COUNTY OFFICES AND COURT BUILDINGS**

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

WHEREAS, by letter dated January 4, 2022, Sheri A. Ferdula, Budget Officer/ Purchasing Agent, has requested approval to renew an agreement with Davis-Ulmer Fire Protection, 7633 Edgecomb Drive, Liverpool, NY 13088 to perform inspection services at the Herkimer County Offices and Court Buildings; and

WHEREAS, the term of the contract will be for a three year period with an annual total of \$3,200, which includes quarterly inspections of the wet system, annual inspection of the backflow prevention and annual inspection of the fire pump; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a three year contract with Davis-Ulmer Fire Protection to perform inspection services at the Herkimer County Offices and Court Buildings, with an annual total of \$3,200; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Maintenance Supervisor, and Davis-Ulmer Fire Protection.

Dated: January 26, 2022.

On motion of Mr. Russell, seconded by Mr. Gaworecki, Report and Resolution No. 31 sponsored by the Committee on Ways & Means ratifying Memorandum of Agreement between the County of Herkimer and the Herkimer County Unit of the Civil Service Employees' Association, Inc. was handed up; voted on and adopted by roll call vote:

For: Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Bono, Ackerman, Donley, Campione, Russell, Weakley (14).

Against: None.

Absent: Malta, Swartz, Shaw (3).



## HERKIMER COUNTY LEGISLATURE

No. 31

### **REPORT AND RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF HERKIMER AND THE HERKIMER COUNTY UNIT OF THE CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC.**

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

WHEREAS, the County has been negotiating with the Herkimer County Unit of the Civil Service Employees' Association, Inc. concerning the terms and conditions of those employees included or to be included in the Negotiating Unit represented by said Herkimer County Unit and has tentatively agreed on such terms and conditions of employment for the period from January 1, 2021 through December 31, 2024, subject to ratification by the Herkimer County Legislature; and

WHEREAS, said Memorandum of Agreement modifies, amends and/or replaces certain provisions of the 2018-2020 Agreement between the County of Herkimer and the Herkimer County Unit of the Civil Service Employees' Association, Inc. and continues all other provisions of said Agreement; and

WHEREAS, your Committee has been informed by letter dated January 26, 2022 that the Herkimer County Unit of the Civil Service Employees' Association, Inc. has ratified said Memorandum of Agreement; and

WHEREAS, the terms expressed in said Memorandum of Agreement have been fully explained to the Herkimer County Legislature and the Legislature is satisfied that the ratification of this Memorandum of 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 the Memorandum of Agreement approved by the Committee on Ways and Means and the Herkimer County Unit of the Civil Service Employees' Association, Inc.;

2. That the terms of said Memorandum of Agreement be incorporated in a new Agreement with the Herkimer County Unit of the Civil Service Employees' Association, Inc. and the Chairman of this Legislature is authorized to execute said Agreement when prepared on behalf of the County of Herkimer;

That certified copies of this Resolution be forwarded to the Herkimer County Unit of the Civil Service Employees' Association, Inc., Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, President of Herkimer County Community College, and all other county department heads.

Dated: January 26, 2022.

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

At 7:26 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, February 16, 2022 at 7:00 p.m.

Brittney R. Viscomi, Clerk