

**MINUTES**  
**Herkimer County Legislature**  
**Second Quarter – First Day**  
**Wednesday, April 2, 2025**  
**2:00 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Robert D. Hollum at 2:00 p.m.

Chairman Hollum called on Don Moynihan, Maintenance Supervisor, to lead the Legislature in the Pledge of Allegiance.

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

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

Present: Malta, Gaworecki, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (15).

Absent: Schrader, Haehl (2).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Hollum asked if there were any objections or corrections to the minutes of March 12, 2025. There were none, and the Chairman ordered them approved.

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

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

No. 134 – A communication was received from Anthony J. Picente, Jr., Oneida County Executive submitting appointment to the Upper Mohawk Valley Regional Water Board. Filed.

No. 135 – A communication was received from the County Auditor submitting tax corrections for the month of February 2025. Filed.

No. 136 – A communication was received from the Solid Waste Authority submitting Meeting Minutes and Resolutions. Filed.

No. 137 – A communication was received from the Sheriff submitting January 2025 monthly report. Referred to the Committee on Public Safety/Emergency Management.

No. 138 – A communication was received from the Sewer District Chief Plant Operator submitting 2024 Annual Report. Referred to the Committee on Natural Resources.

No. 139 – A communication was received from the Director of Community Services requesting amendment to Resolution No. 370 of 2024. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 140 – A communication was received from the Highway Superintendent requesting amendment to Resolution No. 197 of 2024. Referred to the Committee on Highways.

No. 141 – A communication was received from the Budget Officer/Purchasing Agent requesting lease agreement with Toshiba. Referred to the Committee on County Properties and the Committee on Ways & Means.

No. 142 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with year two funding for Indigent Legal Services. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 143 – A communication was received from Dr. Sikirica, Forensic Medical Services advising of increase of autopsy fees. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways & Means.

No. 144 – A communication was received from the Personnel Officer requesting amendment to Resolution No. 9 of 2025. Referred to the Committee on Ways & Means.

No. 145 – 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. 146 – A communication was received from the Director of Information Services requesting renewal of contract with Quadsimia in the Information Services Department. Referred to the Committee on Information Services and the Committee on Ways & Means.

No. 147 – A communication was received from the Budget Officer/Purchasing Agent requesting renewal of grant agreement for Immunization Action Plan, creating project, and amending budget in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 148 – A communication was received from the Budget Officer/Purchasing Agent requesting budget amendment in connection with Childhood Lead Poisoning Prevention Grant in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 149 – A communication was received from the Director of Public Health requesting amendment to Resolution No. 415 of 2023. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 150 – A communication was received from the Personnel Officer requesting Salary Schedule change in Public Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 151 – A communication was received from the Personnel Officer requesting Salary Schedule change in Social Services. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 152 – A communication was received from the Budget Officer/Purchasing Agent awarding bid for bus service to Old Forge for Youth Bureau. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 153 – A communication was received from the Sewer District Chief Plant Operator requesting discussion on potential lease agreement. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 154 – A communication was received from the County Attorney requesting discussion of a proposed settlement in connection with Erie Blvd. Hydropower. Referred to the Committee on Ways & Means.

No. 155 – A communication was received from the Budget Officer/Purchasing Agent requesting transfer of funds for settlement. Referred to the Committee on Ways & Means.

No. 156 – A communication was received from the Budget Officer/Purchasing Agent awarding bids for HCCC parking lot project. Referred to the Committee on Education and the Committee on Ways & Means.

No. 157 – A communication was received from the Budget Officer/Purchasing Agent awarding bids for HCCC locker room project. Referred to the Committee on Education and the Committee on Ways & Means.

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

On motion of Mr. Gaworecki, seconded by Ms. Bennett, Resolution No. 111 – Resolution No. 115 were handed up; voted on and adopted by voice vote:

For: Ayes (15).          Against: None.          Absent: Schrader, Haehl (2).

**Consent Agenda:**

- 111 NAT. RESOURCES: Adopting Annual Report of County Sewer District
- 112 CO. PLNG. & DEV.: Making Appointment to the Mohawk Valley Regional Water Board
- 113 NATURAL RES.: Setting Public Hearing on annual thirty-day period for 2025 for inclusion of viable agricultural land within a certified agricultural district
- 114 HUMAN RES., WAYS & MEANS: Amending Resolution No. 370 of 2024
- 115 HUMAN RES., WAYS & MEANS: Amending Resolution No. 415 of 2023



## HERKIMER COUNTY LEGISLATURE

No.111

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY SEWER DISTRICT

**Sponsored by: Committee on Natural Resources**

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report for 2024 of the County Sewer District, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2024 Annual Report of the County Sewer District be adopted and placed on file with the Herkimer County Legislature for the year 2024.

Dated: April 2, 2025.



## HERKIMER COUNTY LEGISLATURE

No. 112

### RESOLUTION MAKING APPOINTMENT TO THE MOHAWK VALLEY REGIONAL WATER BOARD

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

WHEREAS, the New York State Legislature created an Upper Mohawk Valley Regional Water Authority; and

WHEREAS, the legislation creating said Authority provides that one of the members of the governing board of the Water Board shall be appointed by the County Executive of the County of Oneida, which member shall be a resident of the service area outside of the City of Utica and which member shall be subject to confirmation by the Herkimer County Legislature; and

WHEREAS, Anthony J. Picente, Jr., Oneida County Executive, has notified this Legislature by letter dated March 10, 2025 that he has appointed Ronald J. Beach, Jr. of Frankfort, New York, to said Upper Mohawk Valley Regional Water Board for a three-year term, subject to confirmation by the Herkimer County Legislature; now, therefore, be it

RESOLVED, that this Legislature confirms appointment of said Ronald J. Beach, Jr. of Frankfort, New York, as a member of the Upper Mohawk Valley Regional Water Board for a three-year term to expire on December 31, 2027; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Anthony J. Picente,

Jr., Oneida County Executive and Ronald J. Beach, Jr.

Dated: April 2, 2025.



## HERKIMER COUNTY LEGISLATURE

No. 113

### **RESOLUTION SETTING PUBLIC HEARING ON ANNUAL THIRTY-DAY PERIOD FOR 2025 FOR INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN A CERTIFIED AGRICULTURAL DISTRICT**

#### **Sponsored by: Committee on Natural Resources**

WHEREAS, Section 303-b of the Agriculture and Markets Law provides that the County Legislature of a county containing a certified agricultural district must designate an annual 30 day period, within which a landowner may submit a request for inclusion of land which is predominately viable agricultural land within a certified agricultural district; and

WHEREAS, Resolution No. 146 adopted by this Legislature on May 19, 2004, set the annual 30 day period from January 1 through January 31 of each year; and

WHEREAS, pursuant to statute, requests received during said 30 day period for 2025 were referred to the County Agricultural and Farmland Protection Board for their recommendation, and reports are now ready to be made and a public hearing may now be held; now, therefore, be it

RESOLVED, that a Public Hearing be held on the 23rd of April, 2025 at 6:15 p.m. on the proposed additions to Agricultural Districts for the year 2025; and, be it further

RESOLVED, that the Clerk of this Legislature give proper notice thereof pursuant to Section 303-b of the Agriculture and Markets Law of the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Cornell Cooperative Extension Services and the Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: April 2, 2025.



## HERKIMER COUNTY LEGISLATURE

No. 114

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 370 OF 2024 AUTHORIZING CONTRACT FOR BILLING SERVICE FOR HERKIMER COUNTY MENTAL HEALTH**

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

WHEREAS, Resolution No. 370 adopted on November 13, 2025, awarded a contract for billing service for Herkimer County Mental Health; and

WHEREAS, by letter dated March 10, 2025 from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised that STI (Service, Technology, Innovation) has been acquired by Azalea Health and is requesting to amend the contract to reflect that change, with all other terms and conditions to remain the same; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute a contract with Azalea Health, 6 Concourse Parkway 2250, Atlanta, GA, 30328 for billing services, with all other terms and conditions to remain the same and 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 Community Services, and Azalea Health.

Dated: April 2, 2025.



**HERKIMER COUNTY LEGISLATURE**

No. 115

**REPORT AND RESOLUTION AMENDING RESOLUTION NO. 415 OF 2023  
AUTHORIZING AMENDMENT TO CONTRACT IN PUBLIC HEALTH**

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

WHEREAS, Resolution No. 112 of 2013 awarded a contract for the provision of medical billing services for the Public Health Nursing Service Immunization Program to Med-Care Administrators, LLC; and

WHEREAS, Resolution No. 415 of 2023 amended the contract to allow Public Health to take advantage of the electronic medical record made available to the department through the existing partnership with Med-Care prior to their merger with STI (Service, Technology, Innovation); and

WHEREAS, by letter dated March 12, 2025, from Christina Cain, Director of Public Health, this Legislature is advised that STI has been acquired by Azalea Health and is requesting to amend the contract to reflect that change, with all other terms and conditions to remain the same; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute a contract with Azalea Health, 6 Concourse Parkway 2250, Atlanta, GA, 30328 for medical billing services, with all other terms and conditions to remain the same and 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 Public Health, and Azalea Health.

Dated: April 2, 2025.

The Chairman continued with the Regular Agenda.

On motion of Mr. Campione, seconded by Mr. Donley, Report and Resolution No. 116 sponsored by the Committee on Highways amending Resolution No. 197 of 2024 approving projects under Article 6, Section 116 of the Highway Law was handed up; voted on and adopted by voice vote:

For: Ayes (15).                      Against: None.                      Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 116

### REPORT AND RESOLUTION AMENDING RESOLUTION NO. 197 OF 2024 APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

#### Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 197 of 2024, this Legislature approved the use of County Road Fund monies for Project No. 435, Town of Salisbury, in the amount of \$2,600,000.00; and

WHEREAS, by letter dated March 11, 2025, Mark A. Nagele, P.E., Herkimer County Highway Superintendent, has advised that additional funds are required for this project, and he has requested an increase in the appropriated amount to \$2,800,000.00; now, therefore, be it

RESOLVED, that Resolution No. 197 of 2024 is hereby amended to increase the estimated cost for the project to \$2,800,000.00, and that County Road Fund monies in that amount are hereby approved for that project; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Hollum, seconded by Mr. Donley, Report and Resolution No. 117 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 (15).                      Against: None.                      Absent: Schrader, Haehl (2).



# HERKIMER COUNTY LEGISLATURE

No. 117

## 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 March 13, 2025, Michael Scalise, 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, 2025 through June 30, 2026; 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 of July 1, 2025 through June 30, 2026; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Gaworecki, seconded by Mr. Weakley, Report and Resolution No. 118 sponsored by the Committee on County Properties and the Committee on Ways & Means awarding contract for photocopier service for departments of the County was handed up; voted on and adopted by voice vote:

For: Ayes (15).      Against: None.      Absent: Schrader, Haehl (2).



# HERKIMER COUNTY LEGISLATURE

No. 118

## REPORT AND RESOLUTION AWARDING CONTRACT FOR PHOTOCOPIER SERVICE FOR DEPARTMENTS OF THE COUNTY

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

WHEREAS, by letter dated March 11, 2025, Sheri Ferdula, Budget Officer and Purchasing Agent, has advised that the County contract for photocopiers is set to expire in April of 2025; and

WHEREAS, the Budget Officer and Purchasing Agent further recommends that the County enter into a new 63 month contract with Toshiba Business Solutions, USA of Utica, New York, piggybacking on a contract with Onondaga County, Contract No. 5161, with contract in the amount of \$3,398.00 per



month, including all maintenance and supplies, except paper and staples, up to 140,000 copies per month, with an overage charge of \$.0045 black and white copy and \$.045 color copy, with Herkimer County to retain the right to add or delete equipment and features as determined to be in the best interest of the departments; and

WHEREAS, sufficient funds have been budgeted in department accounts for this purpose; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a contract for the provision of county-wide copy management services and integration with the county information services network to Toshiba Business Solutions USA, 1425 Albany Street, Utica, New York 13501, in the amount of \$3,398.00 per month, including all maintenance and supplies, except paper and staples, up to 140,000 copies per month, with an overage charge of \$.0045 black and white copy and \$.045 color copy, with Herkimer County to retain the right to add or delete equipment and features as determined to be in the best interest of the departments; and, be it further

RESOLVED, that said contract will be for a term of 63 months, and with said contract to be subject to the approval of the Herkimer County Attorney; and, be it further

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

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Toshiba Business Solutions USA and all County departments.

Dated: April 2, 2025.

On motion of Mr. Campione, seconded by Mr. Ackerman, Report and Resolution No. 119 sponsored by the Committee on Ways & Means amending Resolution No. 9 of 2025 to create temporary position in Herkimer County Treasurer's Office was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (15).

Against: None.

Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 119

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 9 OF 2025 TO CREATE TEMPORARY POSITION IN HERKIMER COUNTY TREASURER'S OFFICE**

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

WHEREAS, Resolution No. 9 of 2025 approved a temporary position of Accountant in the Treasurer's Office, from December 2, 2024 through May 15, 2025 at a \$50.00 per hour rate, to work a maximum of ten (10) hours per week to allow for training; and

WHEREAS, by letter dated March 11, 2025 from Kimberlee Enea, County Treasurer, she has requested to increase the maximum number of hours from ten (10) to fifteen (15) hours per week; and

WHEREAS, by letter dated March 12, 2025 from Steven R. Billings, Personnel Officer, he has requested to increase the maximum number of hours from ten (10) to fifteen (15) hours per week for the temporary position of Accountant in the Treasurer's Office effective March 10, 2025; and

WHEREAS, your Committee has taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that Resolution No. 9 of 2025 be amended to increase the maximum number of hours from ten (10) to fifteen (15) hours per week for the temporary position of Accountant in the Treasurer's Office effective March 10, 2025; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Donley, seconded by Mr. Lucenti, Report and Resolution No. 120 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means amending fee schedule associated with coroners' duties was handed up; voted on and adopted by voice vote:

For: Ayes (15).          Against: None.          Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 120

### REPORT AND RESOLUTION AMENDING FEE SCHEDULE ASSOCIATED WITH CORONERS' DUTIES

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

WHEREAS, by Resolution No. 26 of 1966, the Board of Supervisors established fees for services associated with autopsies, use of morgues, reporting and related costs; and

WHEREAS, by Resolution No. 271 of 2015, Resolution No. 281 of 2020, and Resolution No. 13 of 2023, this Legislature approved certain changes be made to the fee schedule; and

WHEREAS, it is now recommended that certain changes be made to this schedule; and

WHEREAS, by letter dated January 1, 2025, Michael Sikirica, M.D., advised that they are adjusting their autopsy fee schedule for services currently provided to Herkimer County, effective January 1, 2025 as follows:

Autopsy with death certification - \$1,500.00  
Death certificate in absentia (without autopsy) - \$100.00 (unchanged)  
External examination with death certification - \$450.00 (unchanged)

now, therefore, be it

RESOLVED, that the above fee schedule for services currently provided to Herkimer County are hereby approved; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Brezinski, seconded by Mr. Brewer, Report and Resolution No. 121 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means awarding bid for bus service for the Old Forge area transportation program for the 2025 Summer Youth Employment Program was handed up; voted on and adopted by voice vote:

For: Ayes (15).          Against: None.          Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 121

### **REPORT AND RESOLUTION AWARDING BID FOR BUS SERVICE FOR THE OLD FORGE AREA TRANSPORTATION PROGRAM FOR THE 2025 SUMMER YOUTH EMPLOYMENT PROGRAM**

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

WHEREAS, pursuant to Resolution No. 114 for the year 1993, the Herkimer County Budget Officer/Purchasing Agent is authorized to advertise for bids, on an annual basis, for the Old Forge Area Transportation Program in relation to the Summer Youth Employment Program; and

WHEREAS, by communication dated March 13, 2025, the Budget Officer has advised this Legislature that bids were received, opened and read in accordance with law for bus services in connection with the 2025 Summer Youth Employment Program to provide transportation to the Old Forge Area; and

WHEREAS, the Budget Officer has advised that it is the recommendation of your Committees and the Youth Bureau that a contract be awarded to the lowest bidder, Hale

Transportation, in the sum of \$675.00 per bus, per day, for 143 regular runs and 1 run for orientation, for a total of \$97,200.00; now, therefore, be it

RESOLVED, that the Herkimer County Legislature awards a contract to Hale Transportation, 37 Kirkland Ave., Clinton, NY 13323, for bus service for the Old Forge Area Transportation Program for the 2025 Summer Youth Employment Program, in the sum of \$675.00 per bus, per day, for 143 regular runs and 1 run for orientation, for a total of \$97,200.00; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, 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, Executive Director of the Youth Bureau, and Hale Transportation.

Dated: April 2, 2025.

On motion of Mr. Swartz, seconded by Mr. Lucenti, Report and Resolution No. 122 sponsored by the Committee on Information Services and the Committee on Ways & Means authorizing maintenance agreement with Quadsimia in the Information Services Department was handed up; voted on and adopted by voice vote:

For: Ayes (15).          Against: None.          Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No.122

### **REPORT AND RESOLUTION AUTHORIZING MAINTENANCE AGREEMENT WITH QUADSIMIA IN THE INFORMATION SERVICES DEPARTMENT**

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

WHEREAS, by letter dated April 24, 2025, from Michael Testa, Director of Information Services, this Legislature is advised of a request to enter into a maintenance agreement with Quadsimia for technical support and web development for the County website and intranet; and

WHEREAS, the letter further states that the maintenance agreement with Quadsimia, 412 Main Street, Utica, NY will be for 200 hours at a cost of \$21,000.00, with any hours that exceed the 200 hours being billed at current rate of \$125.00 per hour, for a one year period of April 1, 2025 through March 31, 2026; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a maintenance agreement with Quadsimia, 412 Main Street, Utica, NY, for technical

support and web development of the County website and intranet for 200 hours at a cost of \$21,000.00, with any hours that exceed the 200 hours being billed at current rate of \$125.00 per hour, for a one year period of April 1, 2025 through March 31, 2026 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 Quadsimia.

Dated: April 2, 2025.

On motion of Mr. Donley, seconded by Mr. Weakley, Report and Resolution No. 123 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. II and Salary Schedule No. III in the Department of Social Services was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (15).

Against: None.

Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 123

### **REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II AND SALARY SCHEDULE NO. III IN THE DEPARTMENT OF SOCIAL SERVICES**

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

WHEREAS, by letter dated March 13, 2025, Timothy Seymour, Commissioner of Social Services, has requested to amend Salary Schedule II to create a position of Director of Child Support & Employment Services and to delete one position of Law Clerk and delete one position of Coordinator of Child Support Services from Salary Schedule III; and

WHEREAS, by letter dated March 19, 2025, from Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. II should be amended to create a position of Director of Child Support & Employment Services in Account A6010, 35 hours per week, at a 2025 annual base pay rate of \$66,411 and delete one position of Law Clerk in Account A6010; and

WHEREAS, letter further advises that Salary Schedule No. III should be amended to delete one position of Coordinator of Child Support Services in Account A6014; now, therefore, be it

RESOLVED, that Salary Schedule No. II be amended to create a position of Director of Child Support & Employment Services in Account A6010, 35 hours per week, at a 2025 annual base pay rate of \$66,411 and delete one position of Law Clerk in Account A6010; and, be it further

RESOLVED, that Salary Schedule No. III be amended to delete one position of Coordinator of Child Support Services in Account A6014, with changes above effective April 14, 2025; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Malta, seconded by Mrs. Wares, Report and Resolution No. 124 sponsored by the Committee on Human Resources and the Committee on Ways & Means amending Salary Schedule No. III in the Public Health Department was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Hollum, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares, Weakley (15).

Against: None.

Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 124

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

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

WHEREAS, by letter dated March 13, 2025, Christina Cain, Director of Public Health, has requested to amend Salary Schedule III to create a position of Associate Integrated County Planning Coordinator; and

WHEREAS, by letter dated March 19, 2025, from Steven R. Billings, Personnel Officer, your Committees have been advised that Salary Schedule No. III should be amended to create a position of Associate Integrated County Planning Coordinator in Account A4010, 35 hours per week, at a 2025 annual base pay rate of \$60,000; now, therefore, be it

RESOLVED, that Salary Schedule No. III be amended to create a position of Associate Integrated County Planning Coordinator in Account A4010, 35 hours per week, at a 2025 annual base pay rate of \$60,000 effective April 7, 2025; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Malta, seconded by Mr. Keeler, Report and Resolution No. 125 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract with New York State Department of Public Health for Immunization Action Plan, creating project, and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).            Against: None.            Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 125

### REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN, CREATING PROJECT, AND AMENDING BUDGET

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

WHEREAS, by communication dated March 12, 2025, Christina Cain, Director of Public Health, has advised that the New York State Department of Health has forwarded a contract for renewal of the grant agreement for the Immunization Action Plan for the period from April 1, 2025 through March 31, 2026, with the contract amount being \$31,050.00; and

WHEREAS, by letter dated March 13, 2025 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2025 Budget and create a new project in connection with the receipt of the amount of \$31,050.00 under said grant; now, therefore, be it

RESOLVED, that the 2025 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A4189A-4489A-PH06-22	From: \$0
		To: \$31,050
Expense Account:	A4189A-10000-001 PH06-22	From: \$0
		To: \$21,406
	A4189A-41000-PH06-22	From: \$0
		To: \$1,150
	A4189A-44000-521-PH06-22	From: \$0
		To: \$2,000
	A4189A-46100-PH06-22	From: \$0
		To: \$350
	A4189A-81000-PH06-22	From: \$0
		To: \$3,072
	A4189A-86000-PH06-22	From: \$0
		To: \$3,072.

and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to e-sign a renewal of the contract between the County of Herkimer and the New York State Department of

Health to receive \$31,050.00 in funding for the Immunization Action Plan for the period April 1, 2025 through March 31, 2026; 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: April 2, 2025.

On motion of Mr. Bick, seconded by Mr. Gaworecki, Report and Resolution No. 126 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract for funding of Childhood Lead Poisoning Prevention Screening Services Grant and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (15).          Against: None.          Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 126

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

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

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

WHEREAS, by letter dated March 12, 2025, from Christina Cain, Director of Public Health, your Committees have been advised of a request to renew said agreement with the New York State Department of Health for the term commencing October 1, 2024 and ending September 30, 2025, with funding for this period to be in the amount of \$38,000.00; and

WHEREAS, by letter dated March 12, 2025, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2024 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for the period October 1, 2024 through September 30, 2025 in the total amount of \$38,000.00; now, therefore, be it

RESOLVED, that the Chairman of the Legislature be authorized to e-sign the grant document in the amount of \$38,000.00 with the New York State Department of Health to continue the Childhood Lead Poisoning Prevention Program in the County of Herkimer for the period October 1, 2024 to September 30, 2025, unless terminated in accordance with the terms thereof; and, be it further



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

Revenue Account:	A4189L.4489B, Lead Prevention, Federal Aid	From:	\$0
		To:	\$38,000
Expense Account:	A4189L.10000-001, Lead Prev., Salaries	From:	\$0
		To:	\$17,000
	A4189L.41000, Lead Prev., Supplies	From:	\$0
		To:	\$3,500
	A4189L.42100, Lead Prev., Phone	From:	\$0
		To:	\$1,100
	A4189L.43000, Lead Prev., Insurance	From:	\$0
		To:	\$1,000
	A4189L.44000, Lead Prev., Contracted	From:	\$0
		To:	\$2,000
	A4189L.44000-370, Lead Prev., Copier	From:	\$0
		To:	\$600
	A4189L.44000-521, Lead, Rent	From:	\$0
		To:	\$2,000
	A4189L.46100, Lead Prev., Mileage	From:	\$0
		To:	\$300
	A4189L.46300, Lead Prev., Postage	From:	\$0
		To:	\$500
	A4189L.86000, Lead Prev., Health Ins.	From:	\$0
		To:	\$10,000.

and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Donley, seconded by Mr. Keeler, Report and Resolution No. 127 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways & Means accepting grant for Assigned Counsel funding and amending budget was handed up; Mr. Brewer requested a roll call, voted on and adopted by roll call vote:

For: Hollum, Bennett, Keeler, Brezinski, Bick, Swartz, Ackerman, Donley, Weakley (9).  
Against: Malta, Gaworecki, Brewer, Lucenti, Campione, Wares (6).

Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 127

**RESOLUTION ACCEPTING GRANT FOR ASSIGNED COUNSEL FUNDING AND AMENDING BUDGET**

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

WHEREAS, the New York State Office of Indigent Legal Services has approved grant funding to the County of Herkimer for a three year period from April 1, 2024 to March 31, 2027 in the total amount of \$3,989,861.28; and

WHEREAS, the funding is to support plans for counsel at arraignment, quality improvement of indigent defense and case load relief, with the funds to be used to supplement and not supplant any state or local funds which would otherwise be spent; and

WHEREAS, expenditure of these funds will require further development and execution of contracts and plans for funding of these initiatives, all of which will be subject to further approval of this Legislature; and

WHEREAS, by letter dated March 12, 2025 from Lorraine Lewandrowski, County Attorney, she is in receipt of a request from New York State Office of Indigent Legal Services requesting a contract amendment raising the current funding amount from \$3,989,861.28 to \$4,229,252.96; and

WHEREAS, by letter dated March 11, 2025 from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that it is necessary to amend the 2025 Budget to add the year two budget; now, therefore, be it

RESOLVED, that the 2025 Herkimer County Budget is hereby amended as follows:

**REVENUE:**

A1170B.3025B, ILS	From: \$0
	To: \$1,329,807.22

**EXPENSE:**

A1170B.10000-001, ILS, Salaries	From: \$0
	To: \$99,425
A1170B.40700, ILS, Comp Software	From: \$0
	To: \$7,000
A1170B. 41000, ILS, Supplies	From: \$0
	To: \$12,500
A1170B.42000, ILS, Utilities	From: \$0
	To: \$3,000
A1170B.42100, ILS, Telephone	From: \$0
	To: \$2,000
A1170B.44000, ILS, Contracted Services	From: \$0
	To: \$651,350.22
A1170B.44000-370, ILS, Copier	From: \$0
	To: \$2,500
A1170B.44000-521, ILS, Rent	From: \$0
	To: \$14,400
A1170B.45000-601F, ILS, Felonies	From: \$0
	To: \$50,000
A1170B.45000-601FC, ILS, Family Court	From: \$0
	To: \$50,000
A1170B.45000-601M, ILS, Misdemeanors	From: \$0

	\$50,000
A1170B.45000-602, ILS CAFA	From: \$0
	To: \$238,500
A1170B.46100, ILS, Mileage	From: \$0
	To: \$47,500
A1170B.46100-767, ILS, Training	From: \$0
	To: \$36,500
A1170B.46300, ILS, Postage	From: \$0
	To: \$1,500
A1170B.81000, ILS, Retirement	From: \$0
	To: \$5,000
A1170B.83000, ILS, Social Security	From: \$0
	To: \$3,750
A1170B.83500, ILS, Medicare	From: \$0
	To: \$1,000
A1170B.84000, ILS, Workers Comp	From: \$0
	To: \$1,500
A1170B.86000, ILS, Health Insurance	From: \$0
	To: \$52,252
A1170B.86500, ILS, Dental Insurance	From: \$0
	To: \$130.

now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described grant contract; and, be it further

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

Dated: April 2, 2025.

On motion of Mr. Campione, seconded by Mr. Bick, Resolution No. 128 sponsored by the Committee on Ways & Means authorizing retainer of Bond, Schoeneck & King, PLLC as counsel for bond purchase was handed up; voted on and adopted by voice vote:

For: Ayes (15).      Against: None.      Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 128

### REPORT AND RESOLUTION AUTHORIZING RETAINER OF BOND, SCHOENECK & KING, PLLC AS COUNSEL FOR BOND PURCHASE

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

WHEREAS, the Herkimer County Industrial Development Agency [hereinafter "IDA"] has presented a proposal to the Herkimer County Legislature wherein Herkimer County would purchase IDA bond(s) issued in relation to the former Remington Arms site; and

WHEREAS, the Herkimer County Legislature is interested in moving forward with the purchase of IDA bond(s), while conducting due diligence and evaluation of the proposal; and

WHEREAS, an amendment of the Herkimer County Investment Policy will be necessary to allow investment by Herkimer County in IDA bond(s); and

WHEREAS, by letter of Lorraine H. Lewandrowski, County Attorney, dated March 25, 2025, a request has been made to retain municipal bond counsel to assist the County throughout the process of purchase of bonds from the Herkimer County IDA and review of the County Investment Policy; and

WHEREAS, the retainer agreement dated March 25, 2025 described the services of related due diligence, statutory research and general assistance that the law firm of Bond, Schoeneck & King will provide in connection with review of bond documents and other steps necessary to assist the County in a purchase of IDA bond(s); and

WHEREAS, the Bond, Schoeneck & King retainer agreement describes the terms by which services would be retained at the rates of between \$275.00 per hour and \$525.00 per hour, with specific rates reflecting the knowledge, experience and expertise of the attorney assigned, with legal fees not to exceed \$30,000.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described retainer agreement regarding legal assistance by Bond, Schoeneck & King, PLLC throughout the process of due diligence and evaluation of the terms and conditions of bond purchases from the Herkimer County IDA; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Auditor, Herkimer County Industrial Development Agency and Bond, Schoeneck & King, PLLC.

Dated: April 2, 2025

On motion of Mr. Donley, seconded by Mr. Ackerman, Resolution No. 129 sponsored by the Committee on Ways & Means approving settlement of tax certiorari proceedings brought by Erie Boulevard Hydropower, LP was handed up; discussion was held; Mr. Hollum requested a roll call vote, voted on and adopted by roll call vote:

For: Malta, Gaworecki, Ackerman, Donley, Campione, Wares (6). Against: Hollum, Weakley (2). Non-Voter: Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti (7).

Revote was called due to extended clarification of a vote.

For: Malta, Gaworecki, Brewer, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Wares (13).

Against: Hollum, Weakley (2).

Absent: Schrader, Haehl (2).



# HERKIMER COUNTY LEGISLATURE

No. 129

## REPORT AND RESOLUTION APPROVING SETTLEMENT OF TAX CERTIORARI PROCEEDINGS BROUGHT BY ERIE BOULEVARD HYDROPOWER, LP

### Sponsored by: Committee on Ways and Means

WHEREAS, Erie Boulevard Hydropower, L.P. (“Erie Blvd.”) filed tax certiorari petitions in 2020, 2021, 2022, 2023, and 2024 (“Proceedings”), challenging the assessment of its properties located in the Town of Russia, Tax Parcel Nos. 08.2.-1-1 and 076.4-1-3; and

WHEREAS, Erie Blvd has proposed settlement of the Proceedings upon the following terms:

Year	Current Assessed Value	Proposed Change to Assessed Value for 076.4-1-3
2020	\$17,541,392	No change
2021	\$17,541,392	No change
2022	\$17,541,392	\$17,000,000
2023	\$17,541,392	\$15,500,000
2024	\$17,541,392	\$12,000,000 (for RPTL 727 lock in, but refunds based on \$14 million)

Year	Current Assessed Value	Proposed Change to Assessed Value for 08.2-1-1
2020	\$5,538,368	No change
2021	\$5,538,368	No change
2022	\$5,538,368	No change
2023	\$5,538,368	No change
2024	\$5,538,368	No change

- a. Reduce the assessment Tax Parcel 076.4-1-3 to \$12,000,000;
- b. Reduce the assessment of Tax Parcel 082.2-1-1 to \$4,500,000;
- c. Freeze the foregoing assessed values through 2031;
- d. Petitioner waives all refunds for Tax Parcel 082.2-1-1
- e. Herkimer County will pay refunds for county taxes to Erie Blvd. in the amount of \$34,829.21

and

WHEREAS, by letter dated March 26, 2025, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a transfer of funds is necessary; and

WHEREAS, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that funds have been verified and are available for this transfer; now, therefore, be it

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:

\$34,829.21      From: A1990.46000, Contingent Fund, Misc. Expense  
                    To:    A1930.46000, Judgements & Claims, Misc. Expense.

and, be it further

RESOLVED, that the Chairman of the Legislature, or his designee, is authorized to sign the settlement agreement; and, be it further

RESOLVED, that the proposed Settlement Agreement will go into effect upon approval by the Supreme Court, Herkimer County and the refunds will be paid in accordance with the final Order of the Supreme Court in these matters; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, Poland Central School, and the Town of Russia.

Dated: April 2, 2025

On motion of Mr. Brewer, seconded by Mr. Lucenti, Report and Resolution No. 130 sponsored by the Committee on Education and the Committee on Ways & Means awarding bids for parking lot improvement project at the Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (15).            Against: None.            Absent: Schrader, Haehl (2).



## HERKIMER COUNTY LEGISLATURE

No. 130

### REPORT AND RESOLUTION AWARDED BIDS FOR PARKING LOT IMPROVEMENT PROJECT AT THE HERKIMER COUNTY COMMUNITY COLLEGE

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

WHEREAS, by letter dated April 1, 2025, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that Herkimer College has received bids for the parking lot improvement project; and

WHEREAS, it is the recommendation of architectural and engineering firm The LA Group, that the bids be awarded to the lowest bidders as follows;

#### **General Construction**

Central Paving, Inc. \$2,955,367  
4247 Acme Road  
Frankfort NY 13340

**Electrical Construction**

Dynamic Electrical Systems, LLC \$456,070  
2 Saratoga Drive  
Schenectady NY 12302.

now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards the bids as stated above for the parking lot improvement project at Herkimer County Community College, with it putting the project total in the amount of \$3,411,437; and, be it further

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

Dated: April 2, 2025.

On motion of Ms. Bennett, seconded by Mr. Bick, Report and Resolution No. 131 sponsored by the Committee on Education and the Committee on Ways & Means awarding bids for locker room project at the Herkimer County Community College was handed up; voted on and adopted by voice vote:

For: Ayes (15).            Against: None.            Absent: Schrader, Haehl (2).



**HERKIMER COUNTY LEGISLATURE**

No. 131

**REPORT AND RESOLUTION AWARDING BIDS FOR LOCKER ROOM PROJECT AT THE HERKIMER COUNTY COMMUNITY COLLEGE**

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

WHEREAS, by letter dated April 1, 2025, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that Herkimer College has received bids for the locker room project; and

WHEREAS, it is the recommendation of architectural and engineering firm CS Arch that the bids be awarded to the lowest bidders and a construction contingency be established as follows:

**General Construction**

Pike Construction Services \$1,424,700  
258 Genesee Street  
Utica NY 13502

**Electrical Construction** \$225,800  
MEID, Inc.  
10 Castle Street  
Oneida NY 13421

**Plumbing Construction** \$450,000  
Lovett Mechanical Contractors  
742 Spencer Street  
Syracuse NY 13204

**Construction Contingency** \$290,050.

now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards the bids as stated above for the locker room project at Herkimer County Community College, with it putting the project amount thus far of \$2,390,550; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Senior Vice President for Administration and Finance of Herkimer County Community College, Pike Construction Services, MEID, Inc., and Lovett Mechanical Contractors.

Dated: April 2, 2025.

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

At 2:14 p.m. on motion of Mr. Malta, seconded by Mr. Bick, the Legislature adjourned to Wednesday, April 23, 2025 at 7:00 p.m., with a Public Hearing at 6:15 p.m.

Jennifer L. Williams, Deputy Clerk