

**SPECIAL SESSION
Herkimer County Legislature
Second Quarter – Seventh Day
Wednesday, June 18, 2025
8:30 a.m.**

The Special Session of the Herkimer County Legislature was called to order by Chairman Peter J. Campione at 8:35 a.m.

Chairman Campione called on Michael Bick, Herkimer County Legislator, to lead the Legislature in the Pledge of Allegiance.

Chairman Campione requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County.

The Clerk called the roll, the following answered:

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

Absent: Schrader, Hollum, Brewer, Haehl (4).

Quorum present.

The Clerk read the Notice of the Special Session.

Chairman Campione 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. 246 – A communication was received from the Chairman of the Legislature requesting Special Session. Filed.

No. 247 – A communication was received from the County Attorney requesting retainer of Bond Counsel. Referred to the Committee on Ways & Means.

No. 248 – A communication was received from the Budget Officer/Purchasing Agent requesting appropriation in connection with Bond Counsel. Referred to the Committee on Ways & Means.

Legislator Don Haehl was marked present.

On motion of Mr. Donley, seconded by Mr. Bick, Resolution No. 199, sponsored by the Committee on Ways & Means authorizing the execution of a bond purchase and disbursing agreement by and among the County, the Herkimer County Industrial Development Agency and Turin Hoefler Avenue LLC and related agreements in connection therewith, was handed up; discussion was held; voted on and adopted by roll call vote:

For: Malta, Bennett, Keeler, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Haehl, Wares, Weakley (12).

Against: Gaworecki, Brezinski (2).

Absent: Schrader, Hollum, Brewer (3).



HERKIMER COUNTY LEGISLATURE

No. 199

**RESOLUTION OF THE COUNTY OF HERKIMER (THE "COUNTY")
AUTHORIZING THE EXECUTION OF A BOND PURCHASE AND
DISBURSING AGREEMENT (THE "BOND PURCHASE AGREEMENT") BY
AND AMONG THE COUNTY, THE HERKIMER COUNTY INDUSTRIAL
DEVELOPMENT AGENCY (THE "HERKIMER IDA") AND TURIN
HOEFLER AVENUE LLC ("TURIN"), AND RELATED AGREEMENTS IN
CONNECTION THEREWITH**

Sponsored by: Committee on Ways & Means

WHEREAS, Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "Enabling Act") authorizes and provides for the creation of industrial development agencies for the benefit of the several counties, cities, villages and towns in the State of New York (the "State") and empowers such agencies, among other things, to acquire, construct, reconstruct, lease, improve, maintain and equip land and any building or other improvement, which shall be suitable for manufacturing, warehousing, research, commercial, or industrial purposes, among others, in order to advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their standard of living; and

WHEREAS, the Enabling Act further authorizes each such industrial development agency to lease or sell any or all of its facilities and to issue its bonds for the purpose of carrying out any of its corporate purposes and, as security for the payment of the principal and redemption price of and interest on any such bonds so issued and any

agreements made in connection therewith, to mortgage and pledge any or all of its facilities, and to pledge the revenues and receipts from the lease or sale thereof to secure the payment of such bonds and interest thereon; and

WHEREAS, the Herkimer IDA was created, pursuant to and in accordance with the provisions of the Enabling Act, by Chapter 410 of the 1970 Laws of New York, as amended, constituting Section 898 of the General Municipal Law; and

WHEREAS, in April, 2025, Turin submitted an application (the “Application”) to the Herkimer IDA, a copy of which Application is on file at the office of the Herkimer IDA, which Application requested that the Herkimer IDA consider undertaking a project (the “Project”) for the benefit of Turin, said Project consisting of the following: (A) the acquisition of an interest or interests in eleven (11) parcels of land containing an aggregate of approximately 34.04 acres located: (1) on Remington Avenue (Tax Map Nos.: 120.37-5-36; 120.37-5-37), (2) on E. Clark Street (Tax Map No.: 120.37-5-8); (3) on Highland Avenue (Tax Map No.: 120.45-1-20.1); (4) at 23 Hoefler Avenue (Tax Map No.: 120.37-4-81); (5) at 92-98 E. Main Street (Tax Map. No: 120.37-4-77); (6) at 100-106 E. Main Street (Tax Map No.: 120.37-4-71); (7) elsewhere on E. Main Street (Tax Map Nos.: 120.37-4-29; 120.37-4-3; 120.37-4-1); and (8) on Commerce Street (Tax Map No.: 119.36-1-13.3) all in the Village of Ilion, Town of German Flatts, Herkimer County, New York (collectively, the “Land”), together with existing buildings located thereon (collectively, the “Facility,” and, collectively with the Land, the “Project Facility”), all of the foregoing to be owned by Turin; (B) the financing of all or a portion of the costs of the foregoing, as well as certain additional costs associated with one year of Project Facility operating expenses, by the issuance of the Bond (as defined herein); (C) the paying of a portion of the costs incidental to the issuance of the Bond, including issuance costs of the Bond and certain reserve funds; (D) the granting of certain other financial assistance with respect to the foregoing, including, but not limited to, exemption from certain mortgage recording taxes, real estate transfer taxes and real property taxes; and (E) the lease (with an obligation to purchase) or sale of the Project Facility to Turin; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), by resolution adopted by the members of the Herkimer IDA on May 5, 2025 (the “SEQRA Resolution”), the Herkimer IDA determined (A) to conduct an uncoordinated review of the Project, (B) that the Project constitutes an “Unlisted action” which will not have a significant effect on the environment and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project, and (C) as a consequence of the foregoing, to prepare a negative declaration with respect to the Project; and

WHEREAS, by resolution also adopted by the members of the Herkimer IDA on May 5, 2025 (the “Bond Resolution”), the members of the Herkimer IDA authorized the

issuance of the Herkimer IDA's Taxable Revenue Bond (Turin Hoefler Avenue LLC Project), Series 2025 in the aggregate principal amount of not to exceed \$4,500,000 (the "Bond") for the purpose of financing a portion of the costs of the Project, delegating to the Chairperson, Vice Chairperson, and/or Chief Executive Officer authority to determine the final details of the Bond (the "Bond Details") once all parties to the transaction documents have agreed to the Bond Details; and

WHEREAS, the Herkimer IDA now desires to issue the Bond in the principal amount of \$2,469,791 under the Bond Resolution and the Bond Purchase Agreement; and

WHEREAS, the County will amend and restate its Investment Policy to, among other things, allow for the investment in industrial development agency bonds as authorized by Section 872 of the General Municipal Law and consistent with 1972 Opinions of the State Comptroller No. 72-984; and

WHEREAS, the County has considered the issues of legality, safety, liquidity and yield with respect to investing in the Bond and the County now desires to enter into the Bond Purchase Agreement and various other documents and agreements in connection therewith (hereinafter collectively called the "County Documents") in order to purchase the Bond from the Herkimer IDA in the principal amount of \$2,469,791, upon the terms and conditions set forth in the Bond Purchase Agreement; and

WHEREAS, pursuant to the Bond Purchase Agreement, the Herkimer IDA will disburse the \$2,469,791 of Bond proceeds received from the County to Turin to pay the costs of the Project, but only upon satisfaction of the requirements for making such disbursements as set forth in the Bond Purchase Agreement and in certain other documents related thereto; and

WHEREAS, as security for the Bond, the Herkimer IDA and Turin will execute and deliver to the County a mortgage dated as of June 1, 2025 (the "Mortgage") from the Herkimer IDA and Turin to the County, which Mortgage grants to the County a first mortgage lien on, and security interest in, certain Land related to the Project (the "Mortgaged Property"); and

WHEREAS, pursuant to the County Documents, Turin will be obligated to make installment purchase payments to the Herkimer IDA, which the Herkimer IDA will pledge and assign to the County for repayment of the Bond; and

WHEREAS, the Bond will be repayable to the County at 5.87% interest, and the Bond will mature and be due in full to the County on June 30, 2035, provided, however, that the County has negotiated an option to demand partial or full repayment of the Bond on or before June 1, 2030 and annually thereafter, subject to requisite notice, on the relevant purchase tender date as described in the Bond Purchase Agreement and the Bond; and

NOW THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY LEGISLATURE OF THE COUNTY OF HERKIMER (THE "COUNTY LEGISLATURE") AS FOLLOWS:

Section 1. This County Legislature has considered the legality, safety, liquidity and yield with respect to investing in the Bond, and hereby finds and determines that such investment is prudent.

Section 2. The investment in the Bond to be issued by the Herkimer IDA in an aggregate principal amount not to exceed \$2,469,791, in accordance with terms and conditions of the Bond Purchase Agreement, is hereby authorized and approved.

Section 3. The County Treasurer is hereby authorized, on behalf of the County, to execute and deliver the Bond Purchase Agreement, and, where appropriate, the Clerk of the County and/or the County Attorney is hereby authorized to affix the seal of the County Treasurer thereto and to attest the same, with such changes, variations, omissions and insertions as the County Attorney shall approve, the execution thereof by the County Treasurer to constitute conclusive evidence of such approval.

Section 4. The County Treasurer is hereby authorized, on behalf of the County, to execute and deliver the balance of the County Documents, and, where appropriate, the Clerk of the County and/or the County Attorney is hereby authorized to affix the seal of the County thereto and to attest the same, with such changes, variations, omissions and insertions as the County Attorney shall approve, the execution thereof by the County Treasurer to constitute conclusive evidence of such approval.

Section 5. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all lawful acts and things required or provided for by the provisions of the County Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further lawful acts and things as may be necessary or in the opinion of the officer, employee or agent acting desirable and proper to effect the purposes of this Resolution and to cause compliance by the County with all of the terms, covenants and provisions of the County Documents binding upon the County.

Section 6. The appropriation of County funds in an amount not to exceed \$2,469,791 to invest in the Bond, as authorized pursuant to Section 872 of the General Municipal Law and consistent with 1972 Opinions of the State Comptroller No. 72-984, is hereby approved.

Section 7. The Clerk of the Herkimer County Legislature is authorized and directed to distribute copies of this Resolution to the Herkimer IDA and to do such further things or perform such lawful acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 8. The County Attorney is authorized to approve the Bond Purchase Agreement and the County Documents, together with any documents referenced in Section 5, as to form and content with the assistance of outside counsel, Bond, Schoeneck & King, PLLC, as needed.

Section 9. Certified Copies of the Resolution herein shall be sent to the Herkimer County Treasurer, Budget Officer, County Attorney, County Administrator, Herkimer County Industrial Development Agency, Bond, Schoeneck & King, and Hodgson Russ, LLP.

Section 10. This Resolution shall take effect immediately.

Dated: June 18, 2025.

On motion of Mr. Donley, seconded by Ms. Bennett, Report and Resolution No. 200, sponsored by the Committee on Ways & Means amending County Investment Policy, was handed up; voted on and adopted by voice vote:

For: Ayes (12).

Against: Gaworecki, Brezinski (2).

Absent: Schrader, Hollum, Brewer (3).



HERKIMER COUNTY LEGISLATURE

No. 200

REPORT AND RESOLUTION AMENDING COUNTY INVESTMENT POLICY

Sponsored by: Committee on Ways and Means

WHEREAS, pursuant to Resolution No. 177 of 2009 an Investment Policy of the County of Herkimer was adopted, which Resolution was amended by Resolution No. 136 of 2011; and

WHEREAS, by Resolution No. 163 adopted on July 6, 2016 said revised Herkimer County Investment Policy was further amended; and

WHEREAS, by Resolution No. 230 adopted on October 5, 2016 said revised Herkimer County Investment Policy was further amended; and

WHEREAS, by letter dated June 3, 2025, Kimberlee A. Enea, Herkimer County Treasurer, has requested said Investment Policy be further amended to include additional language concerning Permitted Investments; and

WHEREAS, Herkimer County now desires to amend and restate the Investment Policy to, among other things, allow for the purchase of an additional permitted investment authorized by General Municipal Law Sec. 872 and consistent with 1972 Opinions of the State Comptroller No. 72-984; now, therefore, be it

RESOLVED, that the Permitted Investments section of the Investment Policy for Herkimer County be amended to include the following new provisions:

The County of Herkimer authorized the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in bonds, notes and/or obligations of an industrial development agency where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments, and in any other investment authorized by the General Municipal Law and the New York State Comptroller.

and, be it further

RESOLVED, that the Purchase of Investments section of the Investment Policy for Herkimer County be amended to include the following new provision at the end of this section:

Notwithstanding the foregoing, provided that any such investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the County, with respect to the purchase of investments in bonds and notes of an industrial development agency, the Treasurer is authorized to contract for the purchase thereof directly with the Industrial Development Agency, issuing the bonds or notes, and all such purchased bonds and notes, shall be registered or inscribed in the name of Herkimer County, and shall be held in custody of the Herkimer County Treasurer.

and, be it further

RESOLVED, that the Herkimer County Industrial Development Agency is hereby deemed to be a financial institution approved by Herkimer County for investment purposes as set forth in the Authorized Financial Institutions and Dealers Section of the Policy; and, be it further

RESOLVED, that in order to purchase investments in bonds, notes and/or obligations of the Herkimer County Industrial Development Agency, all participants in the investment process shall seek to act responsibly as custodians of the public trust as set forth in the Prudence section of the Investment Policy, specifically analyzing the safety, liquidity, yield and risk of such investment; and, be it further

RESOLVED, that the Investment Policy for Herkimer County be amended and restated to, among other things, address the amendments authorized in this resolution; and, be it further

RESOLVED, that the Amended and Restated Investment Policy for Herkimer County attached hereto and dated the same date hereof is hereby approved; 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: June 18, 2025.

INVESTMENT POLICY FOR HERKIMER COUNTY

This investment policy applies to all moneys and other financial resources available for investment on its own behalf of any other entity or individual.

OBJECTIVES

The primary objectives of the County's investment activities are, in priority order,

- to conform with all applicable federal, state, and other legal requirements;
- to adequately safeguard principal;
- to provide sufficient liquidity to meet all operating requirements;
- to obtain a reasonable rate of return

DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the treasurer who shall establish written procedures for the operation of the investment program control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

INTERNAL CONTROLS

It is the policy of the County for all money collected by any officer or employee of the government to transfer those funds to the Treasurer within 30 days of deposit, or within the time period specified in Law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable law and regulations.

DESIGNATION OF DEPOSITORIES

"The banks and trust companies authorized for the deposit of moneys shall be listed and the amounts indicated on the resolution adopted annually for the Depositories of County Funds."

COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Herkimer County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", as provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits.
2. By a letter of credit payable to the County of Herkimer as security for the payment of one hundred percent of the aggregate amount of deposits, as provided by General Municipal Law, Section 10.

SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County or its Custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the County of Herkimer authorized the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed one year in the following types of investments:

- Special time deposit including certificate of deposit issued by a bank or trust company authorized to do business in the State;
- Certificates of deposit;
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Highly rated municipal bonds from any state in the U.S.
- U.S. government-backed securities, such as those issued by the Federal Home Loan Mortgage Association and other federal agencies.
- Highly-rated corporate bonds, as long as they have been independently rated.
- Money-market mutual funds, which are guaranteed by the U.S. government.

The County of Herkimer authorized the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in bonds, notes and/or obligations of an industrial development agency, where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments, and in any other investment authorized by the General Municipal Law and the New York State Comptroller.

All investment obligations shall be payable or redeemable at the option of the County of Herkimer within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased

with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Herkimer within one year of the date of purchase.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Herkimer shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the County of Herkimer. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

PURCHASE OF INVESTMENTS

The treasurer is authorized to contract for the purchase of investments:

- 1) A minimum of two bids shall be obtained.
- 2) All investments shall be in the name of the County.
- 3) The Treasurer's Department will maintain an investment log detailing the specific information relative to each investment. The log will contain descriptions, account numbers, fund, amounts transaction dates, interest rates, maturity, interest earned, date of disposition and other related information.
- 4) Investment transaction shall be reported to the Jr. Accountant to be recorded in the accounting system.
- 5) All Certificates of Deposit or other evidence of investment shall be kept in the safe.
- 6) Terms and Conditions Minimum 7 days Maximum 24 months
- 7) All investment documentation shall be retained for audit purpose.
- 8) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the County.
- 9) Funds shall be invested in such a way as to earn the maximum yield possible.
- 10) By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

Notwithstanding the foregoing, provided that any such investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the County, with

respect to the purchase of investments in bonds and notes of an Industrial Development Agency, the Treasurer is authorized to contract for the purchase thereof directly with the Industrial Development Agency issuing the bonds or notes, and all such purchased bonds and notes, shall be registered or inscribed in the name of Herkimer County, and shall be held in the custody of the Herkimer County Treasurer.

COUNTY CLERK

In addition to the authority to invest herein given to the County Treasurer, the County Clerk, pursuant to Section 11 (5) of the General Municipal Law may invest any money collected on behalf of the state until such time as the money is required to be remitted to the state. The County Clerk shall invest the state money only in those investments authorized by this policy and payable within such time as the proceeds shall be required to be remitted to the state. Any interest that accrues shall be payable in equal shares to the state and to the County, provided, however, that any fees or service charges associated with the investment shall be paid from such interest.

Rev. 6/18/25

On motion of Mr. Malta, seconded by Mr. Bick, Report and Resolution No. 201, sponsored by the Committee on Ways & Means authorizing retainer of bond counsel for county purchase of Industrial Development Agency bond and appropriating funds, was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Bennett, Keeler, Brezinski, Bick, Swartz, Lucenti, Ackerman, Donley, Campione, Haehl, Wares, Weakley (14).

Against: None.

Absent: Schrader, Hollum, Brewer (3).



HERKIMER COUNTY LEGISLATURE

No. 201

REPORT AND RESOLUTION AUTHORIZING RETAINER OF BOND COUNSEL FOR COUNTY PURCHASE OF INDUSTRIAL DEVELOPMENT AGENCY BOND AND APPROPRIATING FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, the Herkimer County Industrial Development Agency [hereinafter "IDA"] has provided a proposal to the Herkimer County Legislature wherein Herkimer County would

purchase an IDA bond issued in relation to the former Remington Arms site; and

WHEREAS, by Resolution No. 128 of April 2, 2025, a retainer agreement with Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York was approved to assist the County in statutory research and general assistance in purchase of IDA bond; and

WHEREAS, the County of Herkimer will require continued assistance of Bond Schoeneck & King, for the transactional portion of the purchase of the IDA bond; and

WHEREAS, by letter of Lorraine H. Lewandrowski, County Attorney dated June 13, 2025, a request has been made to retain Bond, Schoeneck & King, PLLC as municipal bond counsel for transactional legal work associated with the purchase of an IDA bond; and

WHEREAS, the retainer agreement dated March 25, 2025 described the initial services and billable rates for attorneys that Bond, Schoeneck & King, PLLC has provided to date in assisting the County in a purchase of a bond from the Herkimer County IDA; and

WHEREAS, Bond, Schoeneck & King, PLLC has provided an Addendum to the March 25, 2025 Retainer Letter to provide legal assistance and transactional services required to complete purchase of the IDA bond providing that attorney rates will stay the same as in the original Retainer Letter and further that the County will be billed up to an additional \$40,000.00 for legal services for transactional work to complete the County purchase of the IDA bond; and

WHEREAS, by letter dated June 17, 2025 from Sheri Ferdula, Budget Officer/Purchasing Agent, she has advised that an appropriation of funds is necessary and that funds have been verified and are available for this appropriation; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute the above described Addendum to Retainer Letter regarding the transactional process in purchase of a Herkimer County IDA bond; and, be it further

RESOLVED, that an appropriation of funds within the 2025 budget be made as follows:

\$40,000	From: A909, Fund Balance
	To: A1420.45000, County Attorney, Fees for Services

and, be it further

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

Dated: June 18, 2025.

On motion of Mr. Malta, seconded by Mr. Weakley this Special Session of the Herkimer County Legislature was adjourned at 8:47 a.m.