#### HERKIMER COUNTY LEGISLATURE MEETING Wednesday, August 13, 2025 7:00 p.m.

#### 6:15 p.m. - Public Hearing - HCCC Budget

#### PLEDGE OF ALLEGIANCE Moment of Silence in Recognition of All Veterans, Past and Present ROLL CALL

Communications:					
281	Capital District OTB – Submitting monthly reports for February, March, April 2025	FILE			
282	HC Soil & Water Conservation District – Advising of monthly meetings	FILE			
283	Hodgson Russ Attorneys, LLP. – Submitting fully executed PILOT Agreement LLC Project	FILE			
284	County Attorney – Submitting Notice of Claim	FILE			
285	Solid Waste Authority – Submitting Resolutions and minutes	FILE			
286	Bond Schoeneck & King – Submitting petition of National Grid for a Certificate of Environmental Compatibility and Public Need, for the rebuild of transmission line	FILE			
287	Sheriff – Submitting April 2025 monthly report	PUB. SFTY./ EMER. MGMT.			
288	Sheriff – Submitting May 2025 monthly report	PUB. SFTY./ EMER. MGMT.			
289	Sheriff – Submitting June 2025 monthly report	PUB. SFTY./ EMER. MGMT.			
290	Personnel Officer – Requesting contract with Risk Strategies Consulting Service	WAYS & MEANS			
291	Highway Superintendent – Requesting amendment of approval for the purchase of a tilt tandem trailer	HIGHWAYS WAYS & MEANS			
292	Budget Officer/Purchasing Agent – Requesting approval of proposal for preconstruction cost estimate	CO. PROPERTIES WAYS & MEANS			
293	County Attorney - Requesting discussion on North Gage Road project	HIGHWAYS			
294	Highway Superintendent – Requesting discussion regarding the addition of a bike trail/shoulder in the Town of Webb	HIGHWAYS			

### HERKIMER COUNTY LEGISLATURE MEETING

# Wednesday, August 13, 2025 7:00 p.m.

295	Budget Officer/Purchasing Agent – Requesting budget amendment in Mental Health Department	WAYS & MEANS
296	Budget Officer/Purchasing Agent – Requesting transfer of funds for transcripts	WAYS & MEANS
297	Personnel Officer – Requesting adoption of the 2026 Herkimer County Self Insured Workers' Compensation Plan Budget	WAYS & MEANS
298	Director of Public Health – Requesting extension for Rabies Grant	HUMAN RES. WAYS & MEANS
299	Budget Officer/Purchasing Agent – Requesting budget amendment and creation of project in connection with funding in the District Attorney's Office	PUB. SFTY./ EMER. MGMT. WAYS & MEANS
300	Commissioner of Social Services – Submitting request for approval to submit plan and contract with ICAN for STSJP	HUMAN RES. WAYS & MEANS
301	Commissioner of Social Services – Submitting request to accept grant funding and authorize contract in connection with Family Centered Support Program	HUMAN RES. WAYS & MEANS
302	Budget Officer/Purchasing Agent – Requesting budget amendment in DSS	WAYS & MEANS
303	Commissioner of Social Services – Requesting approval of contract with Townsquare Media	HUMAN RES. WAYS & MEANS
304	Budget Officer/Purchasing Agent – Requesting purchase of a records storage system for the new Sheriff's Administration building	PUB. SFTY./ EMER. MGMT. WAYS & MEANS
305	Budget Officer/Purchasing Agent – Requesting transfer of funds in the County Attorney's Office	WAYS & MEANS
306	Budget Officer/Purchasing Agent – Requesting budget amendment in connection with an increase for the State Municipal Snow and Ice Agreement	HIGHWAYS WAYS & MEANS
307	Budget Officer/Purchasing Agent – Requesting budget amendment and creation of project in connection with additional HVEC Funding	PUB. SFTY./ EMER. MGMT. WAYS & MEANS
308	Budget Officer/Purchasing Agent – Requesting budget amendment and creation of project in connection with System of Care funding	HUMAN RES. WAYS & MEANS
309	Senior VP for Admin. & Finance at HCCC – Requesting approval of Proposed College Operating Budget for 2025-2026	EDUCATION WAYS & MEANS

### HERKIMER COUNTY LEGISLATURE MEETING

## Wednesday, August 13, 2025 7:00 p.m.

310	Budget Officer/Purchasing Agent – Requesting soffit replacement on PE roof at HCCC	EDUCATION WAYS & MEANS			
311	Budget Officer/Purchasing Agent – Requesting elevator controller replacement at HCCC	EDUCATION WAYS & MEANS			
312	County Attorney – Requesting discussion for donation of property in connection with a bridge replacement project on Peckville Road	HIGHWAYS			
313	County Attorney – Requesting settlement agreement in relation to opioid litigation	WAYS & MEANS			
314	IDA – Requesting lead agency status for CDBG grant award	CO. PLNG. & DEV.			
315	Personnel Officer – Requesting Chairman to sign Stipulation of Settlement	WAYS & MEANS			
316	Director, Office for the Aging – Requesting to review Age Friendly Action Plan and submit to AARP	HUMAN RES.			
317	Budget Officer/Purchasing Agent – Requesting amended agreement in connection with Herkimer Solar LLC	CO. PROPERTIES WAYS & MEANS			
318	Commissioner of Social Services – Requesting blanket authorization for contracts in connection with Foster Care	SHUMAN RES. WAYS & MEANS			
319	County Attorney – Requesting sale for In Rem properties	CO. PROPERTIES			
Conse 228 229 230 231	PUB. SFTY./EMER. MGMT., WAYS & MEANS: Accepting additional funds, coproject, and amending budget in connection with receipt of STOP-DWI funding WAYS & MEANS: Authorizing transfer of funds in the 2025 Budget WAYS & MEANS: Authorizing transfer of funds in the 2025 Budget CO. PLNG. & DEV.: Setting Public Hearing for CDBG Grant	reating VOICE  VOICE  VOICE  VOICE			
232 233	HUMAN RES.: Authorizing to submit Age Friendly Action Plan to AARP WAYS & MEANS: Amending budget in the Mental Health Department	VOICE VOICE			
	Regular Agenda:	VOICE			
Reports and Resolutions:					
234	WAYS & MEANS: Reappointing Director of Real Property Tax Service Agency	VOICE			
235	EDUCATION, WAYS & MEANS: Relative to the adoption of the Herkimer County Community College Budget				

#### HERKIMER COUNTY LEGISLATURE MEETING Wednesday, August 13, 2025 7:00 p.m.

236	EDUCATION, WAYS & MEANS: Approving installation of soffit on PE Roof at Herkimer County Community College	VOICE
237	EDUCATION, WAYS & MEANS: Approving proposal to replace failed elevator controller at Herkimer County Community College	VOICE
238	WAYS & MEANS: Approving 2026 Annual Estimate and Apportionment for the Herkimer County Workers' Compensation Self-Insured Plan	VOICE
239	HUMAN RES., WAYS & MEANS: Accepting grant funding, authorizing signatures, creating project number, and amending 2025 Budget	VOICE
240	HUMAN RES., WAYS & MEANS: Extending contract for grant in Public Health	VOICE
241	HIGHWAYS, WAYS & MEANS: For amendment to an agreement for snow and ice control with State of New York	VOICE
242	HIGHWAYS: Authorizing acceptance of conveyance of land for Highway purposes	VOICE
243	PUB. SFTY./EMER. MGMT., WAYS & MEANS: Approving purchase for Sheriff's Department	VOICE
244	PUB. SFTY./EMER. MGMT., WAYS & MEANS: Authorizing contracts and amending budget in connection with Crime Victim Services Grant for District Attorney's Office	VOICE
245	HUMAN RES., WAYS & MEANS: Authorizing contract in DSS	VOICE
246	WAYS & MEANS: Amending budget in the Department of Social Services	VOICE
247	HUMAN RES., WAYS & MEANS: Authorizing submission of the STSJP to the NYS Office of Children and Family Services and authorize contract renewal with ICAN to provide services	VOICE
248	HUMAN RES., WAYS & MEANS: Accepting funding and authorizing an agreement in connection with Family Centered Services for DSS	VOICE
249	HUMAN RES., WAYS & MEANS: Authorizing contracts for foster care	VOICE
250	WAYS & MEANS: Authorizing the Chairman to enter into a Stipulation of Settlement with UPSEU – Sheriff's Department Unit	VOICE
251	CO. PLNG. & DEV.: Concerning Lead Agency Status and adopting Environmental Review for Herkimer County Standalone Economic Development Program Grant	VOICE

#### HERKIMER COUNTY LEGISLATURE MEETING Wednesday, August 13, 2025 7:00 p.m.

252	agreement between Herkimer County with Herkimer Solar, LLC	VOICE
253	WAYS & MEANS: Authorizing and approving a settlement agreement in bankruptcy court in relation to an action relating to the opioid crisis	VOICE
254	ADMIN./VETS. AFFAIRS: Urging the Governor to veto S.8012/A.8332 relating to the assessment of solar and wind energy systems	VOICE
255	WAYS & MEANS: Approving standard work day and retirement reporting for elected and appointed officials	VOICE

Adjourn to Wednesday, September 10, 2025 at 7:00 p.m.

Public Hearing - CDBG at 6:25 p.m.

Public Hearing – Introductory Local Law B – Mortgage Tax at 6:27 p.m.



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

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

WHEREAS, by letter dated July 24, 2025, from John W. Lynch, STOP-DWI Coordinator, he has requested this Legislature accept additional funding from the New York State Highway Safety Program Grant (High Visibility Engagement Campaign) in the amount of \$7,500 for the period of October 1, 2024 through September 30, 2025, as a pass-through funding stream administered by the County; and

WHEREAS, by letter dated July 28, 2025 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to create a project and amend the 2025 Herkimer County Budget in connection with the receipt of said funding; now, therefore, be it

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

Revenue:

A3316000 443890, DWI Grants,

From: \$0

Federal Aid, Project 3315A

To: \$7,500

Expense:

A3316000 544000, DWI Grants,

From: \$0

Contracted Services, Project 3315A

To: \$7,500

and, be it further

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

### REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE 2025 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated July 15, 2025, submitting a request for a transfer of funds in order to cover the additional expense in connection with the AI component in the West Law contract, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

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

\$5,000 From: A0000001 541990 Contingent Fund

To: A1420000 544000, County Attorney, Contracted Services

and, be it further

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

### REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS IN THE 2025 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated July 15, 2025, submitting a request for a transfer of funds to pay an invoice received for transcripts pertaining to a poor person appeal, inquired into the subject matter thereof, and recommend that said transfer be made and offer the following Resolution:

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

\$10,815.70 From: A0000001 541990 Contingent Fund

To: A1340000 544000, Budget & Purchasing, Contracted Services

and, be it further

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



# REPORT AND RESOLUTION SETTING A PUBLIC HEARING IN CONNECTION WITH AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING TO THE OFFICE OF COMMUNITY RENEWAL

Sponsored by: Committee on County Planning & Development

WHEREAS, this Legislature seeks to submit an application to the Community Development Block Grant Economic Development Stand-Alone Business Assistance Program for up to \$225,000 in funding to assist Turbo Machined Products, LLC; and

WHEREAS, these CDBG grant funds will assist Turbo Machined Products, LLC with an expansion project that will build a 7,200 square foot addition to its current facility to house new machinery and equipment. The new machinery and equipment will be utilized to process military fighter jet work for the F100 Engine Program for Pratt & Whitney, an existing TMP customer. The addition will be located at 102 Industrial Drive in Frankfort, NY. The project will add 15 new jobs benefitting low- to moderate-income individuals and families and bring manufacturing work back to the United States; and

WHEREAS, it is necessary that a public hearing be held to hear public comment regarding this application; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to execute all documents and certifications required as part of the submission of the application; and, be it further

RESOLVED, that a Public Hearing be held by the Committee on County Planning and Development on September 10, 2025 at 6:25 p.m. in the Legislature Chambers, 109 Mary Street, Herkimer, NY, for the purpose of hearing public comment on the application for assistance to the Office of Community Renewal; and, be it further

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

### REPORT AND RESOLUTION AUTHORIZING TO SUBMIT AGE FRIENDLY ACTION PLAN TO AARP

Sponsored by: Committee on Human Resources

WHEREAS, Resolution No. 247 of 2020 was passed to incorporate Health Across All Policies, Age Friendly Principles, and the Prevention Agenda into the county planning and procurement process; and

WHEREAS, in 2020, Herkimer County Office for the Aging received a \$20,000 grant from the NYS Office for the Aging to assist Herkimer County in becoming an Age Friendly Community; and

WHEREAS, Herkimer County Office for the Aging and Herkimer County HealthNet gathered a coalition of community members to work on developing a survey and preparing an application to AARP in order for Herkimer County to receive the designation of being an Age Friendly Community, which designation was received in August 2021; and

WHEREAS, by letter dated July 23, 2025 from Kathy L. Fox, Director of the Office for the Aging, she has advised that the data collection for the survey and the subsequent analysis was completed in early 2023, and in 2024 three focus groups were held and Action Plan Committees were established and the Action Plan was created by each group; and

WHEREAS, said letter further requests the approval to submit the Plan to AARP; now, therefore, be it

RESOLVED, that authorization is given to submit the Age Friendly Action Plan to AARP; and, be it further

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

## REPORT AND RESOLUTION AMENDING BUDGET IN THE MENTAL HEALTH DEPARTMENT

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

WHEREAS, by letter dated July 15, 2025 from the Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the 2025 Budget to reflect an increase in funding from OASAS for the substance abuse jail services; now, therefore, be it

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

A4320000 434900, Mental Health, State Aid From: \$ 626,737

To: \$ 631,825

A4320000 544322, Mental Health, Con't Agency From: \$ 208,581

To: \$ 213,669

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.



## RESOLUTION REAPPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICE AGENCY

Sponsored by: Committee on Ways & Means

WHEREAS, by Resolution No. 229 of 2019, Beth Sadlon of Little Falls, New York, was reappointed as Director of the Herkimer County Real Property Tax Service Agency for the completion of a term that will expire on September 30, 2025; and

WHEREAS, Beth Sadlon has continued in the training and education programs as prescribed by the provisions of Section 1530 of the Real Property Tax Law; now, therefore, be it

RESOLVED, that Beth Sadlon of Little Falls, New York be, and she hereby is, reappointed Director of the Herkimer County Real Property Tax Service Agency for a six year term commencing October 1, 2025 at an annual salary as set forth in the Salary Schedule 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, Personnel Officer, County Clerk, New York State Office of Real Property Tax Services, and Beth Sadlon.



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

Sponsored by: Committee on Education Committee on Ways and Means

WHEREAS, the Herkimer County Legislature, having conducted a Public Hearing on the tentative budget of the Herkimer County Community College on August 13, 2025, and after hearing all parties concerning the same; now, therefore, be it

RESOLVED, that the tentative budget of the Herkimer County Community College, for the year 2025-2026, in the total amount of \$23,844,684, of which the contribution of the County of Herkimer is \$1,830,612, be adopted; and, be it further

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



#### REPORT AND RESOLUTION APPROVING INSTALLATION OF SOFFIT ON PE ROOF AT HERKIMER COUNTY COMMUNITY COLLEGE

Sponsored by: Committee on Education Committee on Ways & Means

WHEREAS, by letter dated August 1, 2025, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that an appropriate soffit material needs to be installed to the underside of the overhang on a small part of the PE roof; and

WHEREAS, said letter further advises the College recommends the work be awarded to Pike Construction, 258 Genesee Street, 6<sup>th</sup> Floor, Utica, NY 13502, in the amount of \$68,650; now, therefore, be it

RESOLVED, that the above described installation of an appropriate soffit material on the underside of the overhang on a small part of the PE roof is approved in the amount of \$68,650; and, be it further

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



## REPORT AND RESOLUTION APPROVING PROPOSAL TO REPLACE FAILED ELEVATOR CONTROLLER AT HERKIMER COUNTY COMMUNITY COLLEGE

Sponsored by: Committee on Education Committee on Ways & Means

WHEREAS, by letter dated August 1, 2025, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that a proposal has been received to replace the failed elevator controller in the PE building at Herkimer County Community College, using additional funds remaining in the total project budget; and

WHEREAS, said letter further advises the proposal is from TK Elevator Corporation, who is the current maintenance contract for elevator work at the college, in the amount of \$175,900; now, therefore, be it

RESOLVED, that the above described proposal to replace the failed elevator controller in the PE building at Herkimer County Community College is approved in the amount of \$175,900 through TK Elevator Corporation; and, be it further

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

# REPORT AND RESOLUTION APPROVING 2026 ANNUAL ESTIMATE AND APPORTIONMENT FOR THE HERKIMER COUNTY WORKERS' COMPENSATION SELF-INSURED PLAN

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee has received from Steven R. Billings, Personnel Officer, the 2026 Annual Estimate and Apportionment for the Herkimer County Workers' Compensation Self-Insured Plan for the purposes of tail claims run-off; and

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

RESOLVED, that this Legislature hereby approves the Annual Estimate and Apportionment of the Herkimer County Workers' Compensation Self-Insured Plan for the purposes of tail claims run-off for the year 2026; and, be it further

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



## REPORT AND RESOLUTION ACCEPTING GRANT FUNDING, AUTHORIZING SIGNATURES, CREATING PROJECT NUMBER, AND AMENDING 2025 BUDGET

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

WHEREAS, Resolution No. 323 of 2024 accepted Substance Abuse and Mental Health Services Administration "System of Care Expansion and Sustainability" Grant Funding for the period of September 30, 2023 to September 29, 2027; and

WHEREAS, by letter dated July 17, 2025, Christina Cain, Director of Public Health, has requested to amend the budget to include the year three allocation for the award, in the amount of \$999,995, effective September 30, 2025 through September 29, 2026; and

WHEREAS, by letter dated July 22, 2025, from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that a project be established for these funds and that the 2025 budget be amended; now, therefore, be it

RESOLVED, that the above described grant is hereby accepted and that the 2025 Budget be amended as follows:

Revenue:

A4017000 444890 Proj.: SOC1, SOC, Federal Aid

From: \$0

To: \$999,995

Expense:

A4017000 544000 Proj.: SOC1, SOC, Contracted

From: \$0

To:

\$999,995

and, be it further

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

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



## REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT IN PUBLIC HEALTH

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

WHEREAS, Resolution No. 203 of 2022 authorized a contract with New York State Department of Health for the reimbursement for the Rabies Program in the Public Health Department through March 31, 2025; and

WHEREAS, by letter dated July 8, 2025 from Christina Cain, Director of Public Health, your Committees have been advised that a two year extension has been awarded through March 31, 2027, with an additional \$25,228; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension to March 31, 2027 on behalf of the County of Herkimer with New York State Department of Health; 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.

### REPORT AND RESOLUTION FOR AMENDMENT TO AN AGREEMENT FOR SNOW AND ICE CONTROL WITH STATE OF NEW YORK

Sponsored by: Committee on Highways
Committee on Ways and Means

WHEREAS, the County of Herkimer, pursuant to Section 12 of the Highway Law relating to plowing snow and to control snow and ice on state highways in the towns and incorporated villages of the County, has heretofore entered into an agreement dated July 1, 1974, with the State of New York for such purposes; and

WHEREAS, by Resolution No. 349, adopted on October 23, 2024, the County of Herkimer authorized and approved an extension of said Snow and Ice Control Agreement for a period of five years, mandating performance by the County to control snow and ice on State highways within Herkimer County during the 2024-2029 season; and

WHEREAS, by letter dated July 3, 2025 from Mark A. Nagele, County Highway Superintendent, he has forwarded an amendment to that agreement, which is required because, due to the severity of the winter during the 2024-2025 season, the estimated expenditure of \$1,543,271.11 needs to be revised to include an increase of \$662,507.11, which reflects the additional lane miles of state roads that were plowed and/or treated by Herkimer County giving a new gross amount of \$2,205,778.22 for the 2024-2025 season; and

WHEREAS, by letter dated July 15, 2025 from Sheri Ferdula, Budget officer/Purchasing Agent, has advised that it is necessary to amend the 2025 Herkimer County Budget in order to reflect said change; now, therefore, be it

RESOLVED, that the 2025 Herkimer County Budget is hereby amended in the amounts listed:

Revenue:

D0000001 423020 County Road Fund, Snow Removal, State From: \$1,543,271.11

To: \$2,205,778.22

Expense:

D0000001 545144 County Road Fund, Contracted Services From: \$1,543,271.11

To: \$2,205,778.22

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute this Amendment to the above Agreement for the 2024-2025 snow season; 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 New York State Department of Transportation.



### REPORT AND RESOLUTION AUTHORIZING ACCEPTANCE OF CONVEYANCE OF LAND FOR HIGHWAY PURPOSES

Sponsored by: Committee on Highways

WHEREAS, the County of Herkimer desires to perform a bridge replacement project on Peckville Road in the Village of Dolgeville/Town of Manheim; and

WHEREAS, the Town of Manheim has executed a statement of donation in order to transfer a permanent easement to the County of Herkimer, to wit,  $0.0053 \pm acres$  and a temporary easement to the County of Herkimer, to wit, 0.140 + acres; and

WHEREAS, the Dolgeville Rod & Gun Club, Inc. has executed a statement of donation in order to transfer a permanent easement to the County of Herkimer, to wit,  $0.0057 \pm \text{acres}$  and a temporary easement to the County of Herkimer, to wit,  $0.214 \pm \text{acres}$ ; and

WHEREAS, by letter dated July 15, 2025, Lorraine Lewandrowski, County Attorney, has advised that the acquisition of this land is necessary for the replacement of the bridge located on Peckville Road; now, therefore, be it

RESOLVED, that the County of Herkimer accept donations of real property from the Town of Manheim and the Dolgeville Rod & Gun Club, Inc., said premises being approximately 0.365 ± acres in size in order to replace a bridge on Peckville Road in the Village of Dolgeville/Town of Manheim; and, be it further

RESOLVED, that the Chairman of the County Legislature is authorized to execute any documents necessary for the transfer of said premises from the Town of Manheim and the Dolgeville Rod & Gun Club, Inc., in order to effectuate said transfer and record the conveyance in the Office of the Herkimer County Clerk; and, be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, and County Highway Superintendent.



## REPORT AND RESOLUTION APPROVING PURCHASE FOR SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated July 15, 2025, Sheri Ferdula, Budget Officer/Purchasing Agent, has requested approval to purchase a records storage system for the new Sheriff's Administration Building; and

WHEREAS, the purchase would be made through Hummel's Office Plus, PO Box 351, Herkimer, NY, 13350, at a cost of \$29,800.61 which includes delivery and installation, with the purchase off of Omnia Partners Contract R240114; now, therefore, be it

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

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



## REPORT AND RESOLUTION AUTHORIZING CONTRACTS AND AMENDING BUDGET IN CONNECTION WITH CRIME VICTIM SERVICES GRANT FOR DISTRICT ATTORNEY'S OFFICE

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

WHEREAS, by communication dated July 15, 2025 from Sheri Ferdula, Budget Officer, this Legislature is advised that the New York State Office of Victim Services has approved an award for a period from October 1, 2025 through September 30, 2028 for the Herkimer County Victim Services Program, in the amount of \$85,220.61 per year; and

WHEREAS, by said letter, the Budget Officer has advised of a request to amend the 2025 Budget and create a project DACV-25, when said grant awards are received for the Victim Services Program in the Office of the District Attorney's Office; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute and e-sign the contract for the Herkimer County Victim Services Program in the amount of \$85,220.61 per year for the period of October 1, 2025 to September 30, 2028; and, be it further

RESOLVED, that the above described grant is hereby accepted and that the 2025 budget be amended as follows:

#### Revenue:

A1167000 443890, DA Grants, Federal Aid	From: To:	\$0 \$85,220.61
Appropriation:		
A1167000 510000 DA Grants, Salaries	From:	\$0
	To:	\$55,000
A1167000 581000, DA Grants, Retirement	From:	<b>\$0</b>
	To:	\$10,000
A1167000 583000, DA Grants, Social Security	From:	\$0
•	To:	\$3,450
A1167000 583500, DA Grants, Medicare	From:	\$0
	To;	\$800
A1167000 586000, DA Grants, Health Insurance	From:	\$0
·	To:	\$15,970.61

and, be it further

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

## REPORT AND RESOLUTION AUTHORIZING CONTRACT IN DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated July 16, 2025 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised of a request to enter into an agreement with Townsquare Media for enhancement of recruitment, education, and retention of foster and adoptive parents (or prospective parents); and

WHEREAS, said letter further advises this contract will be for a one year period, beginning September 1, 2025 through August 31, 2026, at a cost of \$1,500 per month and will have a 30 day out clause any time after the first quarter analytics are reviewed; now, therefore, be it

RESOLVED, that the above described contract is hereby authorized, with said contract subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign the above contract; 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, and Townsquare Media.

#### REPORT AND RESOLUTION AMENDING BUDGET IN THE DEPARTMENT OF **SOCIAL SERVICES**

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated July 15, 2025 from the Budget Officer/Purchasing Agent. this Legislature is advised that it is necessary to amend the 2025 Budget to utilize additional funding received from the NYS Child Care Block Grant; now, therefore, be it

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

A6055000 436550

From: \$1,920,000

To:

\$2,170,000

A6055000 544000

From: \$1,920,000

To:

\$2,170,000

and, be it further

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



REPORT AND RESOLUTION AUTHORIZING SUBMISSION OF THE SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM (STSJP) TO THE NYS OFFICE OF CHILDREN AND FAMILY SERVICES AND AUTHORIZE CONTRACT RENEWAL WITH ICAN TO PROVIDE SERVICES

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

WHEREAS, Resolution No. 221 of 2024 authorized the Chairman of the Legislature to approve the submission of a STSJP plan to the NYS Office of Children and Family Services, and execute a contract with Integrated Community Alternatives Network (ICAN), for the provision of detention diversion services; and

WHEREAS, by letter dated July 17, 2025, Timothy Seymour, Commissioner of Social Services has advised the 2025-26 enacted State budget has again appropriated funding to assist with STSJP; and

WHEREAS, the funding request for the continuation of this program is \$99,765 for the period of performance commencing October 1, 2025 through September 30, 2026, this sum has a 62% state reimbursement and the program continues capped detention services allocation which is reimbursed at 49% state share; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the Commissioner of Social Services to submit a STSJP plan to the NYS Office of Children and Family Services for approval and authorizes the Chairman of the Legislature to renew a contract with ICAN, 310 Main Street, Utica, NY 13501 to provide detention diversion/early intervention services for the period of the plan; 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, and ICAN.



# REPORT AND RESOLUTION ACCEPTING FUNDING AND AUTHORIZING AN AGREEMENT IN CONNECTION WITH FAMILY CENTERED SERVICES FOR HERKIMER COUNTY DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated July 16, 2025, Timothy Seymour, Commissioner of Social Services, has requested to accept funding in the amount of \$165,385 for a Family Centered Services (FCS) program for a period of July 1, 2025 through June 30, 2026, designed to target the complex needs related to mental health conditions, developmental disabilities, substance abuse disorders, homelessness, domestic violence, and other situations creating barriers to self-sufficiency; and

WHEREAS, said letter further requests to authorize the Chairman to execute an agreement with the Center for Family Life and Recovery, 502 Court Street, Suite 201, Utica, NY 13502 to provide the personnel necessary to establish a Family Centered Support program, at a cost not to exceed the \$165,385 awarded to Herkimer County for the period of July 1, 2025 through June 30, 2026; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an agreement with Center for Family Life and Recovery, in the amount of \$165,385 to provide the personnel necessary to establish a Family Centered Support program for the Herkimer County Department of Social Services, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall continue so long as 100% funding is available; 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, and Center for Family Life and Recovery.

#### REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR FOSTER CARE

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

WHEREAS, by letter of Timothy Seymour, Commissioner of Herkimer County Department of Social Services dated July 25, 2025, a request has been made for an approval process for an updated Model Contract template provided by the Office of Children and Family Services [hereafter "OCFS"]; and

WHEREAS, the Commissioner of Social Services is mandated to provide for the administration of all child welfare services, including purchase of foster care for children; and

WHEREAS, OCFS has provided a Model Contract template for purchases of foster care children; and

WHEREAS, Herkimer County Department of Social Services contracts for foster care services with numerous agencies; and

WHEREAS, the State of New York sets the rates for all placement options for foster care services; and

WHEREAS, Social Services Law Section 398(6)g) provides that contracts with such residential programs, group homes and other agencies may be executed by the Commissioner of Social Services without passing through the legislative process; and

WHEREAS, the Model Contract template provided by OCFS will require the signature of the Commissioner of Social Services, the Chairman of the Herkimer County Legislature and the County Attorney; now, therefore, be it

RESOLVED, that the Model Contract template provided by OCFS is hereby approved by this Legislature; and, be it further

RESOLVED, that in order to process the above volume of Model Template Contracts with the various foster care agencies and to minimize administrative burden, that the Commissioner of Social Services, the County Attorney and the Chairman of the Legislature be authorized to execute the contracts with various foster care agencies and thereafter return back to the Commissioner of Social Services for distribution, upon notice to the Committee on Human Resources; and, be it further

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

Dated: August 13, 2025



## REPORT AND RESOLUTION AUTHORIZING THE CHAIRMAN TO ENTER INTO A STIPULATION OF SETTLEMENT WITH UPSEU – SHERIFF'S DEPARTMENT UNIT

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

WHEREAS, by letter dated August 1, 2025, from Steven Billings, Personnel Officer, he has requested authorization for the Chairman to enter into a Stipulation of Settlement with UPSEU – Sheriff's Department Unit; and

WHEREAS, this letter further advises that in July 2025, UPSEU filed for binding arbitration under the collective bargaining agreement with regards to how the employees that return to county service are given accrued sick leave time; and

WHEREAS, this Stipulation of Settlement will reimburse two employees 50% of claimed sick leave time and will have terms clarifying how sick leave time will not be reimbursed going forward; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is authorized to enter into the above described Stipulation of Settlement with UPSEU – Sheriff's Department Unit, with said contract subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Personnel Officer, Sheriff, and UPSEU – Sheriff's Department Unit.



# REPORT AND RESOLUTION CONCERNING LEAD AGENCY STATUS AND ADOPTING ENVIRONMENTAL REVIEW FOR HERKIMER COUNTY STANDALONE ECONOMIC DEVELOPMENT PROGRAM GRANT

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

WHEREAS, by letter of John J. Piseck, Jr., Chief Executive Officer of the Herkimer County Industrial Development Agency, dated June 24, 2025, a resolution is requested to authorize Herkimer County to serve as lead agency to complete appropriate state and federal environmental reviews regarding the Community Development Block Grant (hereinafter "CBDG"); and

WHEREAS, by Resolution No. 174 of 2025, the Chairman of the Herkimer County Legislature was authorized to execute a grant agreement between the County and the Office of Community Renewal and all related documents, including entering into a grant agreement with the Herkimer County IDA for the implementation of the Project; and

WHEREAS, the New York State CDBG Agreement for Application No. 149312 requires environmental review of the proposed Project, the award of \$225,000 for the Herkimer County CDBG grant; and

WHEREAS, by Resolution No. 177 of 2025, the County of Herkimer designated Peter J. Campione, Chairman of the Herkimer County Legislature, as Certifying Officer for environmental reviews pursuant to the National Environmental Policy Act (NEPA) of 1969; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (SEQRA), the County of Herkimer is the sole Involved Agency because the proposed CDBG grant is not subject to approval of any other permitting or authorizing entities; and

WHEREAS, the Project is categorically excluded from NEPA review pursuant to 24 CFR 58.35(b)(3) which categorically excludes "[e]economic development activities including but not limited to, equipment purchase, inventory financing, interest subsidy and operating expenses..." as a project providing capital to businesses in certain categories impacted by COVID; and

WHEREAS, the County of Herkimer has received a short form Environmental Assessment Form ("EAF") for the proposed recruitment and hiring of new employees at Turbo Machined Products in Frankfort, New York and operating funds for same; and

#### Page II

WHEREAS, the Herkimer County Legislature has reviewed the EAF for the proposed Project and has identified and taken a hard look at the relevant areas of environmental concern; now, therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature be authorized to certify that the proposed Project is categorically excluded from NEPA review and any further NEPA certifications; and, be it further

RESOLVED, that the County of Herkimer assumes lead agency status pursuant to SEQRA with respect to the review of the proposed CDBG grant for assistance to Turbo Machined Products, LLC for jobs creation; and, be it further

RESOLVED, that the action be classified as an Unlisted Action pursuant to SEQRA; and, be it further

RESOLVED, that the County of Herkimer makes a determination of significance of a negative declaration and that the proposed action will not result in any significant adverse environmental impacts and hereby adopts the annexed Negative Declaration; and, be it further

RESOLVED, that certified copies of the resolution be sent to the County Attorney, Herkimer County Industrial Development Agency, the Office of Community Renewal, and Turbo Machined Products, LLC.

# HERKIMER COUNTY LEGISLATURE

No. 252

REPORT AND RESOLUTION APPROVING ADDENDUM TO THIRD MODIFIED AGREEMENT BETWEEN HERKIMER COUNTY WITH HERKIMER SOLAR, LLC TO PROVIDE THIRD PARTY BILLING SERVICES THROUGH PERCH COMMUNITY SOLAR, LLC

Sponsored by: Committee on County Properties Committee on Ways & Means

WHEREAS, Resolution No. 237 of 2020 authorized Herkimer County to purchase solar energy credits through Herkimer Solar, LLC, 190 High St., 3<sup>rd</sup> Floor, Boston, MA 02110; and

WHEREAS, Herkimer County entered into a VDER Value Stack Credit Sales Agreement [hereinafter "Agreement"] with Herkimer Solar, LLC on October 20, 2020 at a discount rate of 16% and a base payment of 5 cents per kWh for a twenty-year term, with annual escalation rate of 1.25%; and

WHEREAS, the parties amended said Agreement of October 20, 2020 to provide for a 16% fixed discount rate for the initial term and extending the Estimated Commercial Operations Date to December 31, 2024; and

WHEREAS, pursuant to the terms of the First Modification agreement and a Second Modified Agreement, all other terms, provisions, covenants, and conditions of the October 20, 2020 Agreement remained in full force and effect unmodified; and

WHEREAS, by Resolution No. 64 of February 12, 2025, Herkimer Solar, LLC and Herkimer County entered into a Third Modification Agreement extending the estimated commercial operations date to December 31, 2025 with all prior provisions of the October 20, 2020 agreement remaining in full force and effect unchanged; and

WHEREAS, by letter of Sheri A Ferdula, Budget Officer dated July 15, 2025, a request has been made for an Addendum to the Third Modification Agreement to allow the County to receive invoices through a third party billing service, Perch Community Solar, LLC, PO Box 22818, New York, New York 10087-2818 [hereafter "Perch"], now therefore, be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized to sign an Addendum to the Third Modification Agreement to provide for billing through Perch and any other documentation necessary to effectuate third party billing through Perch; and, be it further

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



REPORT AND RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT IN BANKRUPTCY COURT WITH PURDUE PHARMA L.P AND THE SACKLER FAMILY IN RELATION TO AN ACTION RELATING TO THE OPIOID CRISIS

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

WHEREAS, defendants in the opioid litigation, Purdue Pharma L.P and the Sackler Family, declared bankruptcy in the United States Bankruptcy Court for the Southern District of New York; and

WHEREAS, defendants have reached a proposed nationwide settlement agreement that will provide a monetary settlement and injunctive relief governing opioid dispensing practices; and

WHEREAS, by letter of Lorraine H. Lewandrowski, Herkimer County Attorney, dated July 8, 2025, this Legislature has been advised of a potential settlement by private and government plaintiffs with defendants Purdue Pharma L.P and the Sackler Family; and

WHEREAS, it is anticipated that the Sackler Family together with other parties will be paying an aggregate of \$6.5 billion in 16 payments over 15 years with distribution of funds set by an allocation formula; and

WHEREAS, it is in the best interest of the County of Herkimer to resolve this matter with respect to Purdue Pharma L.P. and the Sackler Family without further litigation; now, therefore be it

RESOLVED, that the Chairman of the Herkimer County Legislature is authorized, subject to County Attorney approval, to execute any proposed settlement Agreements and to execute such other documents as may be necessary and appropriate to effectuate the settlements with Purdue Pharma L.P and the Sackler Family; and, be it further

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

## RESOLUTION URGING THE GOVERNOR TO VETO S.8012/A.8332 RELATING TO THE ASSESSMENT OF SOLAR AND WIND ENERGY SYSTEMS

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

WHEREAS, Senate Bill 8012/Assembly Bill 8332 would amend the Real Property Tax Law to modify the method for assessing solar and wind energy systems by requiring the use of a discounted cash flow approach; and

WHEREAS, the legislation further requires host community benefit payments to be included as expenses, stipulates that federal tax credits be deemed intangible assets and not included in revenue streams, and imposes a standardized formula for determining the assessed value of solar and wind projects; and

WHEREAS, this methodology would result in a significant reduction in the assessed value of large-scale solar and wind installations, thereby diminishing the tax revenue that can be collected by counties and municipalities; and

WHEREAS, often solar and wind energy systems encompass thousands of acres of land, which means municipalities lose a significant portion of tax income due to these projects; and

WHEREAS, the last formula adopted by the State for assessing solar and wind energy systems only taxed the systems at a quarter of their worth which shifts the fiscal burden to residents and small businesses; and

WHEREAS, as a result, corporations are benefiting at a cost to taxpayers in New York State; and

WHEREAS, the cumulative effect of this policy would be to erode the long-term fiscal stability of local governments and unfairly prioritize corporate tax relief over equitable taxation and funding for local services; now, therefore, be it

RESOLVED, that this Herkimer County Legislature urges the Governor to veto S.8012/A.8332 in order to preserve the ability of local governments to generate fair and adequate tax revenues from commercial energy developments; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Kathy Hochul, Assemblyman Brian Miller, Assemblyman Robert Smullen, Senator Mark Walczyk, Senator Joseph A. Griffo, and New York State Association of Counties.

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

Sponsored by: Committee on Ways and Means

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

Title:	Standard Work Day: (Hrs/day) Min. 6 hrs Max. 8 hrs	Name: (First and Last)	Social Security Number: (Last 4 digits)	NYSLRS ID:	Tier 1 (Check only if member is Tier 1)	Current Term Begin & End Dates: (mm/dd/yy- mm/dd/yy)	Record of Activities Result	Not Submitted: (Check only if official did not submit their Record of Activities)
Appointed Off	icials							
Assistant Dist. Attorney	6	Clifford Eisenhut				01/01/25- 12/31/28	8.93	

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.