

MINUTES
Herkimer County Legislature
Second Quarter – Fourth Day
Wednesday, May 15, 2019
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 7:05 p.m.

Chairman Peplinski called on James W. Wallace, Jr., County Administrator, to lead the Legislature in the Pledge of Allegiance.

Chairman Peplinski 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, Schrader, Hollum, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Johnson (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of April 24, 2019. There were none, and the Chairman ordered them approved.

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

Chairman Peplinski 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. 185 – A communication was received from the Village of Ilion submitting notice of the proposed Steele Creek project. Filed.

No. 186 – A communication was received from Chairman Peplinski authorizing the Vice Chairman to sign documents in his absence. Filed.

No. 187 – A communication was received from the Commissioners of Elections concerning early voting in Old Forge. Filed.

No. 188 – A communication was received from the Clerk of the Friends of Historic Herkimer County submitting copy of resolution accepting grant funds from the NYS Office of Parks, Recreation, and Historic Preservation. Filed.

No. 189 – A communication was received from the Cornell Cooperative Extension Expressing thanks to the Legislature. Filed.

No. 190 – A communication was received from the Herkimer County IDA submitting notice of Public Hearing. Filed.

No. 191 – A communication was received from the Deputy Highway Superintendent submitting letter concerning Shoemaker Road. Filed.

No. 192 – A communication was received from Senator James L. Seward acknowledging receipt of Resolution No. 114 and Resolution No. 115. Filed.

No. 193 – A communication was received from the Director of Office for the Aging submitting quarterly report for HEAP and HIICAP. Filed.

No. 194 – A communication was received from Directory of Community Services submitting Annual Report for 2018. Referred to the Committee on Human Resources.

No. 195 – A communication was received from the Director of Community Services requesting renewal of TenEleven contract in Mental Health. Referred to the Committee on Human Resources and the Committee on Ways & Means.

No. 196 – A communication was received from the Sewer District submitting Resolution adopted by the Sewer District for petty cash account increase and requesting approval from the Legislature. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 197 – A communication was received from the Budget Officer/Purchasing Agent requesting increase in petty cash account in Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 198 – A communication was received from the Sewer District submitting Resolution adopted by the Sewer District for non-potable pumps and requesting approval from the Legislature. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 199 – A communication was received from the Budget Officer/Purchasing Agent advising of bid for non-potable pumps in Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 200 – A communication was received from the Sewer District submitting Resolution adopted by the Sewer District for pavement repair and requesting approval from the Legislature. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 201 – A communication was received from the Budget Officer/Purchasing Agent advising of bid for pavement repair in Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 202 – A communication was received from the Budget Officer/Purchasing Agent requesting an appropriation of funds to cover costs of the pavement and non-potable pump projects in the Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways & Means.

No. 203 – A communication was received from the Personnel Officer requesting appointment of Director of Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 204 – A communication was received from the Personnel Officer requesting to amend Salary Schedule II for Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 205 – A communication was received from the Deputy Director of Emergency Services requesting purchase using 2013 Interoperable Grant funding for Aney Hill improvements. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 206 – A communication was received from the Deputy Director of Emergency Services requesting purchase using 2013 Interoperable Grant funding for backup Simulcast equipment. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 207 – A communication was received from the Deputy Director of Emergency Services requesting purchase using 2013 Interoperable Grant funding for addition at McCauley Mountain. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 208 – A communication was received from the Deputy Director of Emergency Services requesting purchase using 2013 Interoperable Grant funding for McCauley Mountain Tower cleanup. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 209 – A communication was received from the Deputy Director of Emergency Services requesting purchase using 2013 Interoperable Grant funding for HVAC and electrical work at McCauley Mountain. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 210 – A communication was received from the Deputy Director of Emergency Services requesting purchase using 2013 Interoperable Grant funding for backup generator at McCauley Mountain. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 211 – A communication was received from the Budget Officer/Purchasing Agent requesting contract for lease of mail machine and maintenance agreement. Referred to the Committee on Ways & Means.

No. 212 – A communication was received from the Budget Officer/Purchasing Agent requesting to amend Resolution No. 15 of 2019 in connection with contract with the NYS Office of Court Administration for Court Cleaning Expenses. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 213 – A communication was received from the Highway Superintendent requesting to amend Resolution No. 188 of 2018 in connection with the Travis Road project. Referred to the Committee on Highways.

No. 214 – A communication was received from the Personnel Officer requesting to amend part time salary schedule in Information Services. Referred to the Committee on Information Services and the Committee on Ways & Means.

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

The Chairman continued with the Regular Agenda.

On motion of Mr. Malta, seconded by Mr. Schrader, Report and Resolution No. 138 sponsored by the Committee on Human Resources adopting Annual Report in Mental Health for 2018 was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 139 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract renewal for electronic medical records system in Mental Health was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 140 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution HCSD-2019-06 to increase petty cash fund was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 141 sponsored by the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District Resolution HCSD-2019-07 awarding bid for horizontal centrifugal pumps was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Campione, seconded by Mr. Ackerman, Report and Resolution No. 142 sponsored by the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District Resolution HCSD-2019-08 awarding bid for parking lot repair was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Hollum, Report and Resolution No. 143 sponsored by the Committee on Natural Resources and the Committee on Ways and Means approving Sewer District Resolution HCSD-2019-09 appropriating funds for non-potable pumps and paving repair project was handed up; voted on and adopted by roll call vote:

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

Against: None. Abstain: None. Absent: Johnson (1).

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 144 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means appointing Director of Emergency Services was handed up; voted on and adopted by roll call vote:

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

Against: None. Abstain: None Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 145 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means amending Salary Schedule No. II in Emergency Services was handed up; discussion was held, voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Stephens, Keeler, Manno, Smith, Bono, Peplinski, Campione, Russell, Shaw, Weakley (14).

Against: Brezinski, Ackerman (2). Abstain: None Absent: Johnson (1).

On motion of Mr. Keeler, seconded by Mr. Stephens, Report and Resolution No. 146 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving Aney Hill 911 Communications Tower improvements in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Gaworecki, seconded by Mr. Ackerman, Report and Resolution No. 147 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving back-up Simulcast equipment for McCauley Mountain in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Campione, seconded by Mr. Bono, Report and Resolution No. 148 sponsored by Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving addition to McCauley Mountain 911 Communications Building in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Abstain: Russell (1). Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 149 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving McCauley Mountain Communications Tower cleanup in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None. Abstain: Russell (1). Absent: Johnson (1).

On motion of Mr. Hollum, seconded by Mr. Russell, Report and Resolution No. 150 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving McCauley Mountain HVAC and electrical work in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Stephens, seconded by Mr. Malta, Report and Resolution No. 151 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving McCauley Mountain back-up generator in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Schrader, seconded by Mr. Keeler, Report and Resolution No. 152 sponsored by the Committee on Ways and Means authorizing contract for lease of mail machine and maintenance agreement was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 153 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means amending Resolution No. 15 of 2019 in connection with the NYS Office of Court Administration for Court Cleaning Expenses was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Smith, seconded by Mr. Campione, Report and Resolution No. 154 sponsored by the Committee on Highways amending Resolution No. 188 of 2018 in connection with the Travis Road Project was handed up; discussion was held, voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

On motion of Mr. Schrader, seconded by Mr. Malta, Report and Resolution No. 155 sponsored by the Committee on Information Services and the Committee on Ways and Means amending part time salary schedule in Information Services was handed up; voted on and adopted by roll call vote:

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

Against: None. Abstain: None. Absent: Johnson (1).

On motion of Mr. Russell, seconded by Mr. Bono, Resolution No. 156 sponsored by the Committee on Ways and Means authorizing litigation against former employee for overpayment of salary was handed up; discussion was held, voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Johnson (1).

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators made comments: Legislator Russell, Legislator Bono, Legislator Brezinski.

At 7:31 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, June 12, 2019 at 7:00 p.m.

Jennifer L. Williams, Deputy Clerk



HERKIMER COUNTY LEGISLATURE

No. 138

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY MENTAL HEALTH SERVICES

Sponsored by: Committee on Human Resources

WHEREAS, your Committee on Human Resources, to which was referred the 2018 Annual Report of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2018 Annual Report of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2018.

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 139

REPORT AND RESOLUTION AUTHORIZING CONTRACT RENEWAL FOR ELECTRONIC MEDICAL RECORDS SYSTEM FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by letter dated April 22, 2019, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised of a request to renew an agreement with TenEleven Group Incorporated of East Amherst, New York, for the provision of an electronic medical records system and ongoing technical support services for Herkimer County Mental Health Services beginning July 27, 2019 through July 26, 2024; and

WHEREAS, the five year contract cost of said system will be \$1,977 per month, which includes a monthly maintenance fee of \$1,577 and a licensing fee of \$400 per month; now, therefore be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute an agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, NY 14051, commencing July 27, 2019 through July 26, 2024, for the provision of an electronic medical records system for Herkimer County Mental Health Services at a cost of \$1,977 per month; and, be it further

RESOLVED, that said agreement shall 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 Information Services, Director of Community Services and TenEleven Group Incorporated.

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 140

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2019-06 TO INCREASE PETTY CASH FUND

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

WHEREAS, by letter dated April 22, 2019, this Legislature is advised that by action on April 17, 2019 the Herkimer County Sewer District Board adopted a resolution, increasing the revolving petty cash fund from \$125.00 to \$200.00; now, therefore, be it

RESOLVED, that the above described resolution is hereby approved to increase the Sewer District petty cash fund from \$125.00 to \$200.00; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 141

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2019-07 AWARDDING BID FOR HORIZONTAL CENTRIFUGAL PUMPS

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

WHEREAS, by letter dated April 22, 2019, this Legislature is advised that by action on April 17, 2019 the Herkimer County Sewer District Board adopted a resolution, awarding a bid for Horizontal Centrifugal Pumps with installation; and

WHEREAS, by letter dated April 25, 2019, Sheri Ferdula, Budget Officer, has recommended to award the bid to the lowest bidder, JP Industrial Services, at a cost of \$46,882; now, therefore, be it

RESOLVED, that the above described resolution is hereby approved and that the bid be awarded to JP Industrial Services at a cost of \$46,882 for the purchase and installation of Horizontal Centrifugal Pumps; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 142

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2019-08 AWARDDING BID FOR PARKING LOT REPAIR

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

WHEREAS, by letter dated April 22, 2019, this Legislature is advised that by action on April 17, 2019 the Herkimer County Sewer District Board adopted a resolution, awarding a bid for repair work to a portion of the parking lot located at the Mohawk Facility; and

WHEREAS, by letter dated April 25, 2019, Sheri Ferdula, Budget Officer, has advised that the lowest bidder is Peter Macri Paving, at a cost of \$23,450; now, therefore, be it

RESOLVED, that the above described resolution is hereby approved and that the bid be awarded to Peter Macri Paving at a cost of \$23,450 for repair work to a portion of the parking lot located at the Mohawk Facility; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 143

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION HCSD-2019-09 APPROPRIATING FUNDS IN THE HERKIMER COUNTY SEWER DISTRICT FOR NON-POTABLE PUMPS AND PAVING REPAIR PROJECT

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

WHEREAS, by letter dated April 22, 2019, this Legislature is advised that by action on April 17, 2019 the Herkimer County Sewer District Board adopted a resolution, approving an appropriation in the amount of \$70,332.00 for approved capital projects including replacement of Non-Potable Pumps and repairs to the parking lot; and

WHEREAS, by letter dated April 25, 2019, Sheri Ferdula, Budget Officer, has advised this Legislature that there are sufficient funds in Account G909, Sewer Fund Balance, to allow for said appropriation, which will be used to cover the non-potable pump project and paving repair project; now, therefore, be it

RESOLVED, that an appropriation within the 2019 budget be made as follows:

Appropriation:

\$70,332 From: G909, Sewer Fund Balance
 To: H8130.40000, Sewer Treatment Plant, Contractual, Project 79-1

And, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 144

REPORT AND RESOLUTION MAKING APPOINTMENT OF DIRECTOR OF EMERGENCY SERVICES

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

WHEREAS, by letter dated May 2, 2019 from Steven R. Billings, Personnel Officer, this Legislature is advised that a vacancy exists in the position of Director of Emergency Services and it is the recommendation of your Committees that John Raymond, of Poland, NY be appointed to said position; now, therefore, be it

RESOLVED, that John Raymond, of Poland, NY, be appointed to the position of Director of Emergency Services for the County of Herkimer at the base annual salary of \$55,000, effective May 16, 2019; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 145

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II IN HERKIMER COUNTY EMERGENCY SERVICES DEPARTMENT

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

WHEREAS, by letter dated May 2, 2019, Steven R. Billings, Personnel Officer, has recommended amending Salary Schedule II, by setting the annual base salary of the Supervising Public Safety Telecommunicator at \$46,003.00 in Account A3021, to be effective as of May 16, 2019; now, therefore be it

RESOLVED, that the annual base salary of the Supervising Public Safety Telecommunicator be set at \$46,003.00 in Account A3021 in Salary Schedule II effective May 16, 2019; 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 Emergency Services.

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 146

REPORT AND RESOLUTION APPROVING ANEY HILL 911 COMMUNICATIONS TOWER IMPROVEMENTS

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

WHEREAS, by letter dated April 25, 2019, from John Raymond, Deputy Director of Emergency Services, this Legislature is advised of a request to approve a proposal from Fred A. Nudd Corporation for the purchase and installation of two climbing ladders at the Aney Hill 911 Communications Tower; and

WHEREAS, said Aney Hill 911 Communications Tower proposal is in the amount of \$9,500.00 with the 2013 State Interoperable Communications Grant funding being utilized; now, therefore be it

RESOLVED, that this Legislature approves the proposal from Fred A. Nudd Corporation for the purchase and installation of two climbing ladders in the amount of \$9,500.00, utilizing the 2013 State Interoperable Communications Grant funding; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 147

REPORT AND RESOLUTION APPROVING BACK-UP SIMULCAST EQUIPMENT FOR McCAULEY MOUNTAIN

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

WHEREAS, by letter dated April 25, 2019, from John Raymond, Deputy Director of Emergency Services, this Legislature is advised of a request to approve a proposal from JPJ Electronic Communications, Inc., for back-up simulcast equipment for McCauley Mountain; and

WHEREAS, said back-up simulcast equipment proposal is in the amount of \$30,062.73 with the 2013 State Interoperable Communications Grant funding being utilized; now, therefore be it

RESOLVED, that this Legislature approves the proposal from JPJ Electronic Communications, Inc., for back-up simulcast equipment in the amount of \$30,062.73, utilizing the 2013 State Interoperable Communications Grant funding; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 148

REPORT AND RESOLUTION APPROVING ADDITION TO McCAULEY MOUNTAIN 911 COMMUNICATIONS BUILDING

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

WHEREAS, by letter dated April 25, 2019, from John Raymond, Deputy Director of Emergency Services, this Legislature is advised of a request to approve a proposal from JD Russell Construction for an addition to the McCauley Mountain 911 Communications building; and

WHEREAS, said addition proposal is not to exceed \$15,000.00 with the 2013 State Interoperable Communications Grant funding being utilized; now, therefore be it

RESOLVED, that this Legislature approves the proposal from JD Russell Construction for an addition to the McCauley Mountain 911 Communications Building not to exceed \$15,000.00, utilizing the 2013 State Interoperable Communications Grant funding; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 149

REPORT AND RESOLUTION APPROVING McCauley Mountain Communications Tower Site Cleanup

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

WHEREAS, by letter dated April 25, 2019, from John Raymond, Deputy Director of Emergency Services, this Legislature is advised of a request to approve a proposal from JD Russell Construction for McCauley Mountain Communications Tower cleanup; and

WHEREAS, said McCauley Mountain Communications Tower cleanup proposal is not to exceed \$7,000.00 with the 2013 State Interoperable Communications Grant funding being utilized; now, therefore be it

RESOLVED, that this Legislature approves the proposal from JD Russell Construction for McCauley Mountain Communications Tower cleanup not to exceed \$7,000.00, utilizing the 2013 State Interoperable Communications Grant funding; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 150

REPORT AND RESOLUTION APPROVING McCAULEY MOUNTAIN HVAC AND ELECTRICAL WORK

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

WHEREAS, by letter dated April 25, 2019, from John Raymond, Deputy Director of Emergency Services, this Legislature is advised of a request to approve a proposal from Doug's Electric Company LLC for McCauley Mountain HVAC and electrical work; and

WHEREAS, said McCauley Mountain HVAC and electrical work proposal is in the amount of \$7,250.00 with the 2013 State Interoperable Communications Grant funding being utilized; now, therefore be it

RESOLVED, that this Legislature approves the proposal from Doug's Electric Company LLC for McCauley Mountain HVAC and electrical work in the amount of \$7,250.00, utilizing the 2013 State Interoperable Communications Grant funding; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Emergency Services, and Doug's Electric Company LLC.

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 151

REPORT AND RESOLUTION APPROVING McCAULEY MOUNTAIN BACK-UP GENERATOR

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

WHEREAS, by letter dated April 25, 2019, from John Raymond, Deputy Director of Emergency Services, this Legislature is advised of a request to approve a proposal from Doug's Electric Company LLC for McCauley Mountain back-up generator; and

WHEREAS, said McCauley Mountain back-up generator proposal is in the amount of \$16,997.00 with the 2013 State Interoperable Communications Grant funding being utilized; now, therefore be it

RESOLVED, that this Legislature approves the proposal from Doug's Electric Company LLC for McCauley Mountain back-up generator in the amount of \$16,997.00, utilizing the 2013 State Interoperable Communications Grant funding; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Emergency Services, and Doug's Electric Company LLC.

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 152

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR MAIL MACHINE AND MAINTENANCE AGREEMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated March 9, 2019, Sheri Ferdula, Budget Officer/Purchasing Agent, has requested authorization for the Chairman of the Legislature to sign a contract with Ed & Ed Business Solutions of Westmoreland, New York for the purpose of entering into a sixty three (63) month true lease on a new IS5000 mail machine and maintenance agreement; and

WHEREAS, quotes were obtained from companies providing similar machines and maintenance plans and Ed & Ed Business Solutions offered the best option to meet the needs of the county at a monthly payment of \$694.12, with a total lease price of \$43,729.56; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into a contract with Ed & Ed Solutions, 4919 State Route 233, Westmoreland, New York 13490, for the purpose of entering into a sixty three (63) month true lease on a new IS5000 mail machine and maintenance plan, at a payment of \$694.12 per month, with a total lease price of \$43,729.56, and with the final terms of the contract to be subject to the approval of the County Attorney; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 153

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 15 OF 2019 IN CONNECTION WITH CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE CLEANING AND MINOR REPAIRS OF COURT FACILITIES

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

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

WHEREAS, by letter dated April 25, 2019, from Sheri Ferdula, Budget Officer and Purchasing Agent this Legislature is advised that the State of New York Unified Court System has advised that it has disallowed the window cleaning portion of the work, which will decrease the contract by \$5,854 for the first year; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the five year contract for the retroactive period commencing April 1, 2018 through March 31, 2023 with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum compensation of \$130,348.00 for the first year and Resolution No. 15 of 2019 is hereby amended accordingly; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 154

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 188 of 2018 APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, by Resolution No. 188 of 2018, this Legislature approved the use of County Road Fund monies for Project No. 383, Travis Road, CR160, in the amount of \$1,200,000; and

WHEREAS, by letter dated April 24, 2019, Mark A. Nagele, County Highway Superintendent, has advised that since that time, estimated costs for the project have increased as a result of the review of bids received and other factors listed in that letter, and he has requested an increase in the appropriated amount to \$1,500,000; now, therefore be it

RESOLVED, that Resolution No. 188 of 2018 is hereby amended to increase the estimated cost for the project to \$1,500,000, 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: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 155

REPORT AND RESOLUTION AMENDING PART TIME SALARY SCHEDULE FOR POSITION IN HERKIMER COUNTY INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by letter dated March 15, 2019, Kathy Wright, Director of Information Services, has requested to amend the part time Salary Schedule to increase the salary of a part time Computer Operator position; and

WHEREAS, by letter dated May 7, 2019, Steven Billings, Personnel Officer requests that the part-time salary schedule be amended to add the title of Computer Operator in Account A1680 at an hourly rate of \$14.00 and be effective as of May 16, 2019; and

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

RESOLVED, that the part time Salary Schedule be amended to add the title of Computer Operator in Account A1680 at an hourly rate of \$14.00, effective May 16, 2019; and, be it further

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

Dated: May 15, 2019.



HERKIMER COUNTY LEGISLATURE

No. 156

RESOLUTION AUTHORIZING LITIGATION AGAINST FORMER EMPLOYEE FOR OVERPAYMENT OF SALARY

Sponsored by: Committee on Ways and Means

WHEREAS, a mistaken salary overpayment was made to a County employee who had resigned in the amount of \$250.92; and

WHEREAS, demand has been made for repayment for that amount, but it has not been received; now, therefore, be it

RESOLVED, the County Attorney's Office is hereby authorized to commence an action on behalf of the County of Herkimer against that former employee, Leigh Sponburgh, to recover that sum, and the Chairman of this Legislature is hereby authorized to sign any and all documents necessary for or in connection with that litigation; and, therefore, be it

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

Dated: May 15, 2019.