

MINUTES
Herkimer County Legislature
Fourth Quarter – First Day
Wednesday, October 3, 2018
2:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 2:05 p.m.

Chairman Peplinski called on Steven Entwistle, President of Cornell Cooperative Extension Board of Directors, 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: the following answering the roll. Quorum present.

Present: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (17).

Absent: None.

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 September 12, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

At this time Chairman Peplinski dispensed with the regular session for a presentation by Steven Entwistle, President of Cornell Cooperative Extension Board of Directors, and Linda Robbins, Assistant Director, who presented Chairman Peplinski with a plaque, honoring him for all of his years of service on the Board of Directors. Chairman Peplinski thanked Cooperative Extension stating he was proud to serve.

Chairman Peplinski and Legislator Shaw, Chairman of the Committee on Human Resources to present a proclamation to Jacqueline Ward and Megan Dack of Herkimer County Catholic Charities recognizing October as Domestic Violence Prevention Month. Ms. Ward thanked the Legislature for their support of the program and recognition of October as Domestic Violence Awareness Month.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. With no Chairmen wishing to report, Chairman Peplinski continued with the regular session.

At this time, Chairman Peplinski recognized the Cornell Cooperative Extension Intern Students were in attendance at the meeting. County Attorney Malone explained the difference between voice and roll call votes.

Pursuant to Rule 11, Comments by Residents, Chairman Peplinski called on Carl Streeter of Ilion, New York. Mr. Streeter stated he would like the information on the Facility Dude contract and Strategic Development Specialists grant applications.

Chairman Peplinski stated that the communications received by the Legislature and the committees to which they were referred were listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. Chairman Peplinski continued with the regular session.

No. 382 –A communication was received from the Director of Probation, Submitting Request for Intern in Office. Referred to the Committee on Public Safety/Emergency Management.

No. 383 - A communication was received from the Budget Officer/Purchasing Agent submitting Request for Transfer in District Attorney’s Office. Referred to the Committee on Ways & Means.

No. 384 - A communication was received from the District Attorney, submitting Request for Acceptance of NYS Grant Funding. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 385 - A communication was received from the Budget Officer/Purchasing Agent, requesting appropriation in Sheriff’s Department. Referred to the Committee on Ways & Means.

No. 386 - A communication was received from the Director of Emergency Services, requesting acceptance of PSAP Funding. Referred to the Committee on Public Safety/Emergency Management.

No. 387 - A communication was received from the Director of Emergency Services requesting authorization to make purchases for Tower. Referred to the Committee on Public Safety/Emergency Management.

No. 388 - A communication was received from the County Highway Superintendent requesting additions to NYS Road Inventory Listing. Referred to the Committees on Highways and the Committee on Ways & Means.

No. 389 - A communication was received from the County Highway Superintendent requesting agreement for Empire State Trail. Referred to the Committees on Highways and Ways & Means.

No. 390 - A communication was received from the Director of the Office for the Aging, requesting renewal of contract for services. Referred to the Committees on Human Resources and Ways & Means.

No. 391 - A communication was received from the Director of the Office for the Aging, submitting recommendations to Office for the Aging Advisory Council. Referred to the Committee on Human Resources.

No. 392 - A communication was received from the Chairman of the Legislature, submitting appointments to the Office for the Aging Advisory Council. Referred to the Committee on Human Resources.

No. 393 – A communication was received from the Chairman of the Legislature, submitting appointment of Land Bank Board of Directors member. Referred to the Committee on County Properties.

No. 394 – A communication was received from the Commissioner of Herkimer County Department of Social Services submitting request to join collaborative. Referred to the Committees on Human Resources and Ways & Means.

No. 395 – A communication was received from the Commissioner of Herkimer County Department of Social Services submitting request to accept grant funding. Referred to the Committees on Human Resources and Ways & Means.

No. 396 – A communication was received from the Director of Herkimer County Public Health, requesting contract with NYS for Early Intervention Administration Program. Referred to the Committee on Natural Resources.

No. 397 - A communication was received from the NYS Division of Budget, acknowledging receipt of County-Wide Shared Services Plan. Filed.

No. 398 – A communication was received from NYS Department of Homeland Security, submitting results of monitoring visit. Filed.

No. 399 - A communication was received from Herkimer County Catholic Charities submitting the Summer 2018 Newsletter. Filed.

No. 400 - A communication was received from the Oneida-Herkimer Solid Waste Authority, submitting June 2018 minutes. Filed.

No. 401 - A communication was received from the Herkimer County Democratic Committee, submitting recommendation for Election Commissioner. Referred to the Committees on Administration and Veterans' Affairs.

No. 402 - A communication was received from Legislator John Brezinski, making appointment of Democratic Commissioner. Referred to the Committee on Administration and Veterans' Affairs.

No. 403 - A communication was received from NYS Homes & Community Renewal – Submitting Certificate of Completion for CDBG Project #528HR19-09. Filed.

No. 404 - A communication was received from NYS Homes & Community Renewal – Submitting Certificate of Completion for CDBG Project #528HR19-10. Filed.

No. 405 - A communication was received from the Capital District OTB, submitting Financial Report ending June 30, 2018. Filed.

No. 406 - A communication was received from the Capital District OTB, submitting Financial Report ending July 30, 2018. Filed.

No. 407 - A communication was received from the Budget Officer/Purchasing Agent advising of bids for General Construction Contract for the new Herkimer County Correctional Facility. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 408 – A communication was received from the Budget Officer/Purchasing Agent, advising of bids for Electrical Contractor Contract for the new Herkimer County Correctional Facility. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 409 – A communication was received from the Budget Officer/Purchasing Agent, advising of bids for Plumbing Contractor Contract for the new Herkimer County Correctional Facility. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 410 – A communication was received from the Budget Officer/Purchasing Agent, advising of bids for Mechanical Contractor Contract for the new Herkimer County Correctional Facility. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

With that being all the communications, the Chairman continued with Reports and Resolutions.

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 294 sponsored by the Committee on Ways & Means authorizing Transfer of Funds was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 295 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means accepting grant in District Attorney’s Office was handed up, voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Gaworecki, Report and Resolution No. 296 sponsored by the Committee on Ways & Means to approve the appropriation of funds in Sheriff's Department was handed up; voted on and adopted by voice vote:

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

Against: Johnson (1).

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 297 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means accepting Homeland Security Funding Grant in Emergency Services Department was handed up: voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Campione, Report and Resolution No. 298 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means approving purchase of equipment for McCauley Tower using Interoperable Grant funding was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Smith seconded by Mr. Brezinski, Report and Resolution No. 299 sponsored by the Committee on Highways and the Committee on Ways & Means acknowledging responsibility for County Roads was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Abstain: Gaworecki (1).

Absent: None.

On motion of Mr. Campione, seconded by Mr. Smith, Report and Resolution No. 300 sponsored by the Committee on Highways and Committee on Ways & Means approving agreement with NYS Office of Parks & Recreation and the NYS DOT for the Empire State Trail was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: Russell (1).

Abstain: Gaworecki (1).

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Ackerman, Report and Resolution No. 301 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing renewal of contract with Senior Network Health for Office for the Aging Services was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Gaworecki, seconded by Mr. Hollum, Report and Resolution No. 302 sponsored by the Committee on Human Resources confirming appointments to Herkimer County Office for the Aging Advisory Council was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Abstain: Manno (1).

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 303 sponsored by the Committee on County Properties appointing member to the Greater Mohawk Valley Land Bank was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Malta, seconded by Mr. Russell, Report and Resolution No. 304 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving contract with NYS for Early Intervention Program was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Schrader, seconded by Mr. Stephens, Report and Resolution No. 305 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting additional funding for SNAP Program in Department of Social Services was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Weakley, seconded by Mr. Hollum, Report and Resolution No. 306 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means authorizing agreement with School Districts for placement of Officers at Schools was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Brezinski, seconded by Mr. Schrader, Report and Resolution #307 sponsored by the Committee on Administration/Veterans' Affairs making Appointment of Commission of Elections was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

- Legislator Schrader requested a roll call vote for Resolutions 308-312

On motion of Mr. Bono, seconded by Mr. Hollum, Report and Resolution No. 308 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means awarding bid for the Provision of a General Contractor for Construction of the New Herkimer County Correctional Facility was handed up; discussion held, voted on and adopted by the following roll call vote:

For: Hollum, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (12).

Against: Malta, Gaworecki, Schrader, Johnson, Brezinski (5).

Absent: None.

On motion of Mr. Bono, seconded by Mr. Campione, Report and Resolution No. 309 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means awarding bid for the Provision of an Electrical Contractor for Construction of the New Herkimer County Correctional Facility was handed up; discussion:

On motion of Mr. Bono, seconded by Mr. Russell an amendment in the 1st Resolved Clause after \$3,888,000.00 to read: Contingent upon the bidder holding open the security system portion of the bid for 45 days from the date of its receipt by the county.

The amendment was voted on by voice vote:

Ayes: 17.

Against: None.

Absent: None.

The resolution as amended was voted on and adopted by the following roll call vote:

For: Gaworecki, Hollum, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (13).

Against: Malta, Schrader, Johnson, Brezinski (4).

Absent: None.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 310 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means awarding bid for the Provision of a Plumbing Contractor for Construction of the New Herkimer County Correctional Facility was handed up; voted on and adopted by the following roll call vote:

For: Gaworecki, Hollum, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (12).

Against: Malta, Schrader, Johnson, Brezinski (4).

Absent: None.

On motion of Mr. Hollum, seconded by Mr. Bono, Report and Resolution No. 311 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means awarding bid for the Provision of a Mechanical Contractor for Construction of the New Herkimer County Correctional Facility was handed up; voted on and adopted by the following roll call vote:

For: Gaworecki, Hollum, Stephens, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (13).

Against: Malta, Schrader, Johnson, Brezinski (4).

Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 312 sponsored by the Committees on Public Safety/Emergency Management and Ways & Means authorizing Contract Modification with LaBella Associates was handed up; voted on and adopted by the following roll call vote:

For: Hollum, Keeler, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (11).

Against: Malta, Gaworecki, Schrader, Johnson, Stephens, Brezinski (6).

Absent: None.

Pursuant to Rule 6, Chairman Peplinski asked if any members of the Legislature wished to comment. The following Legislators had comments: Russell, Malta, Bono. With no further comment, Chairman Peplinski requested a motion to adjourn the meeting.

At 2:45 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, October 24, 2018 at 7:00 p.m.

Sally I. Deming, Clerk



HERKIMER COUNTY LEGISLATURE

No. 294

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS

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 September 12, 2018, submitting request a for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers 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 in the 2018 Budget:

Transfer:

\$3,000 From: A1165.45000, DA, Fees for Services
 To: A1165.22000, DA, Computer Equipment.

and, be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 295

REPORT AND RESOLUTION ACCEPTING GRANT FROM DIVISION OF CRIMINAL JUSTICE SERVICES FOR HERKIMER COUNTY DISTRICT ATTORNEY'S OFFICE

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

WHEREAS, by letter dated September 14, 2018 from the Herkimer County District Attorney's Office, this Legislature is advised of the receipt of an Aid to Prosecution Grant from the New York State Division of Criminal Justice Services, said grant to be used by the Herkimer County District Attorney's Office to expedite the processing of repeat violent and serious felony offenders; and

WHEREAS, said grant award is in the amount of \$30,200.00, and shall be effective for the term October 1, 2018 to September 30, 2019; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a grant agreement on behalf of the County of Herkimer with the New York State Division of Criminal Justice Services for the receipt by Herkimer County of an Aid to Prosecution Grant in the amount of \$30,200.00 for the period from October 1, 2018 to September 30, 2019; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby further authorized to execute any necessary documents and e-sign the contract for funding in connection with the receipt of additional grant funds; and, be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 296

REPORT AND RESOLUTION APPROPRIATING FUNDS FOR SHERIFF'S DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated September 13, 2018, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that the Herkimer County Sheriff, Christopher Farber, has requested an appropriation of funds to purchase and install a new generator at the Herkimer County Correctional Facility; and

WHEREAS, the Sheriff has received two quotes, the lowest quote being from Doug's Electric in the amount of \$18,096.70; and

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

RESOLVED, that an appropriation be made as follows:

Appropriation:

\$18,096.70 From: A889H. Reserve, Correctional Facility Fund
To: A3150.44000-525, Jail, Repairs

and, be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 297

REPORT AND RESOLUTION IN CONNECTION WITH RECEIPT OF HOMELAND SECURITY FUNDING

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

WHEREAS, by letter dated September 17, 2018, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of the receipt of funding under the 2018-2019 Public Safety Answering Point (PSAP) Operations Grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$179,146.00; and

WHEREAS, said PSAP Operations funding will be used to offset the costs of full-time dispatcher salaries; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by electronic signature a contract with the New York State Division of Homeland Security and Emergency Services for funding under the 2018-2019 Public Safety Answering Point (PSAP) Operations Grant, in the amount of \$179,146.00; and, be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 298

REPORT AND RESOLUTION APPROVING PURCHASE OF EQUIPMENT FOR IMPROVED COMMUNICATION ON THE MCCAULEY MOUNTAIN TOWER SITE

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

WHEREAS, by letter dated August 27, 2018, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of a request to purchase a Ceragon 6ghz IP microwave system to be installed at 3 communication towers which will replace and improve the current microwave path to the McCauley Tower; and

WHEREAS, the Director is also requesting the purchase of a Tait Analog Simulcast System which also will be installed to upgrade the radios to an IP based system at the McCauley Tower; both systems will improve communications in the Webb area; the cost of the microwave system is \$393,719.52 and the cost of the Simulcast Radio System is \$54,755.05, for a total of \$448,474.57; and

WHEREAS, all equipment will be purchased under New York State contract pricing using the 2017 Interoperable Communications Grant funding; now, therefore be it

RESOLVED, that this Legislature approves the purchase of the above equipment which will improve communications in the Webb area for a total of \$448,474.57 under New York State contract pricing and utilizing the 2017 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 and Director of Emergency Services.

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 299

REPORT AND RESOLUTION ACKNOWLEDGING RESPONSIBILITY FOR SECTIONS OF COUNTY ROADS

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

WHEREAS, by letter dated September 10, 2018, Mark A. Nagele, P.E., County Superintendent of Highways, has requested a resolution acknowledging responsibility for two segments of highway under the County Department of Highways' jurisdiction which have been documented and continually maintained by that department; now, therefore be it

RESOLVED, that the following roads/parcels are acknowledged as Herkimer County roads:

1. County Route 42 – East Bidleman Road, .13 miles beginning at CR 42 Dockey Road to NYS Route 167, Town of Manheim
2. County Route 107 – Albany Spur Road, .09 miles beginning at CR 107 Albany Road to Butcher Road (town), Town of Litchfield

and, be it further

RESOLVED, that the County of Herkimer hereby acknowledges that it has and does accept responsibility for maintenance and repair of the above stated roads, and further acknowledges that it does accept legal responsibility for those roads, and both of those are shown on the attached maps; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Herkimer County Highway Superintendent the New York State Department of Transportation.

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 300

REPORT AND RESOLUTION APPROVING AGREEMENT WITH NEW YORK STATE OFFICE OF PARKS & RECREATION AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR EMPIRE STATE TRAIL

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

WHEREAS, by letter of Mark Nagele, P.E., County Superintendent of Highways, September 10, 2018, a request is being made for Herkimer County to enter into an agreement with the New York State Office of Parks & Recreation and the New York State Department of Transportation regarding certain lands owned by the County along the Erie Canal on Dyke Road, the Dyke Road Spur and Southside Road in the Towns of Schuyler and Frankfort, for the construction, ownership and maintenance of a multipurpose recreational trail known as the Empire State Trail; and

WHEREAS, the State has agreed to perform trail work including pavement markings, pavement repair and installation of trail signing with the cost of constructing said improvements will be the sole responsibility of the State and with the county to own, repair and maintain those improvements after their installation; and

WHEREAS, the Herkimer County Legislature has reviewed and supports the proposed improvements and the maintenance obligations; now, therefore be it

RESOLVED, that the Chairman of the Legislature be authorized to sign all contracts in this regard, subject to the approval of the County Attorney's Office; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Herkimer County Highway Superintendent, New York State Department of Transportation and the New York State Office of Parks & Recreation.

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 302

REPORT AND RESOLUTION CONFIRMING APPOINTMENTS AND REAPPOINTMENTS TO THE HERKIMER COUNTY OFFICE FOR AGING ADVISORY COUNCIL

Sponsored by: Committee on Human Resources

WHEREAS, the Chairman of the Herkimer County Legislature, by letter dated September 28, 2018, has made reappointments to the Office for Aging Advisory Council; now, therefore, be it

RESOLVED, that the following appointments and reappointments to the Office for the Aging Advisory Council be, and hereby are ratified and confirmed:

Appointments for term of 10/2018 -10/2021

Carol Murphy, 206 Reservoir Road, Newport, NY 13416

Francine Ashe, 133 Spruce Drive, Frankfort, NY 13416

Reappointment for term of 10/2018 – 10/2020

Vanessa Boyer, 14 Lamberson St., Dolgeville, NY 13329

Eileen Manno, 130 Maple Drive, Frankfort, NY 13340

Reappointment for term of 10/2018 – 10/2021

Ava Jaunzems, 398 Jerusalem Hill Road, Clayville, NY 13322

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of the Herkimer County Office for the Aging and each appointee.

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 303

REPORT AND RESOLUTION APPOINTING MEMBER TO THE GREATER MOHAWK VALLEY LAND BANK

Sponsored by: Committee on County Properties

WHEREAS, by Resolution No. 237 of 2016, this Legislature established the Greater Mohawk Valley Land Bank Corporation and appointed two representatives to the Board of Directors; and

WHEREAS, by Resolution No. 206 of 2018, this Legislature appointed John J. Piseck, Jr., Executive Director of the IDA to fill a vacancy on the board through October 5, 2018; and

WHEREAS, by letter dated September 28, 2018, Bernard Peplinski, Chairman of the Herkimer County Legislature has made the reappointment of John J. Piseck, Jr., Executive Director of the Herkimer County Industrial Agency for a two year term; now, therefore, be it

RESOLVED, that the appointment of John J. Piseck, Jr., Executive Director of the Herkimer County Industrial Development Agency, 420 E. German Street, Herkimer, NY 13350 to the Greater Mohawk Valley Land Bank Corporation Board of Directors, with the term expiration as listed, is hereby ratified and confirmed:

Appointment:

John J. Piseck, Jr., 420 East German St.,
Herkimer, NY 13350

Term Expiration:

10/5/2020

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Greater Mohawk Valley Land Bank Corporation and John J. Piseck, Jr.

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 304

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE STATE OF NEW YORK FOR FUNDING FOR EARLY INTERVENTION ADMINISTRATION PROGRAM

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

WHEREAS, by letter dated September 13, 2018, from Christina Cain, Director of Public Health, this Legislature is advised that the New York State Department of Health has submitted a contract providing for the renewal of the Early Intervention Administration Program grant in the total amount of \$25,806.00; and

WHEREAS, said agreement shall be effective for the term October 1, 2018 through September 30, 2019; and

WHEREAS, the County of Herkimer has qualified personnel, facilities and expertise to provide the services required under the terms of the agreement; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute said contract in form prepared by the State of New York, on behalf of the County of Herkimer for an Early Intervention Administration grant in the amount of \$25,806.00, with said grant to be for the period October 1, 2018 through September 30, 2019; and, be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 305

REPORT AND RESOLUTION ACCEPTING SNAP BONUS ALLOCATION IN THE SOCIAL SERVICES DEPARTMENT

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

WHEREAS, by letter dated September 14, 2018 from Timothy Seymour, Commissioner of Social Services, notification has been made to the Department of Social Services of a SNAP Bonus allocation in the amount of \$28,107 from the United States Department of Agriculture for best and most improved payment accuracy during fiscal year 2015; and

WHEREAS, the SNAP award can be used for any SNAP related expenses including, but not limited to, technology, administration, distribution or program integrity; the Commissioner is requesting acceptance of this award and to apply this funding towards any necessary SNAP related staff; training, equipment or technology costs that would enhance SNAP administration in the department: now, therefore be it

RESOLVED, that the Herkimer County Legislature accepts a SNAP Bonus allocation in the amount of \$28,107 from the United States Department of Agriculture for best and most improved payment accuracy during fiscal year 2015 and authorizes the application of this funding towards any necessary SNAP related staff; training, equipment or technology costs that would enhance SNAP administration in the department; 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: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 306

REPORT AND RESOLUTION AUTHORIZING AGREEMENT WITH SCHOOL DISTRICTS FOR PLACEMENT OF OFFICERS AT SCHOOLS

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

WHEREAS, by letter dated June 21, 2018, Christopher P. Farber, Herkimer County Sheriff has advised that school districts in Herkimer County have requested permission for the placement of officers at the schools, with the School Districts to provide reimbursement for all salary and fringe benefits plus any additional costs including expenses; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into agreements with the Owen D. Young School District, Poland School District and Mount Markham School District, for the placement of a Special Patrol Officer at the schools, with the School Districts to provide reimbursement for all salary and fringe benefits, plus an additional administrative fee of 15% of the salary and fringe benefits, with the terms and conditions of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 307

REPORT AND RESOLUTION MAKING APPOINTMENT OF COMMISSIONER OF ELECTIONS

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, by Communication No. 73, dated March 17, 2017, John L. Brezinski, Minority Leader of the Herkimer County Legislature appointed Anthony C. Fumarola as Commissioner of Elections for a term to begin on April 3, 2017 and end December 31, 2018; and

WHEREAS, Arlene G. Feldmeier, Chairman of the Herkimer County Democratic Committee, has filed a certificate of the Herkimer County Democratic Committee, in conformity with the provisions and requirements of Section 3-204 of the Election Law of the State of New York, recommending Anthony C. Fumarola, a resident and qualified voter of the County of Herkimer to be a fit and proper person to be appointed a Commissioner of Elections for the term commencing January 1, 2019 and ending December 31, 2020; now, therefore, be it

RESOLVED, that Anthony C. Fumarola, 310 First Avenue, Frankfort, New York, 13340, be, and he hereby is, reappointed as Commissioner of Elections of the County of Herkimer as so recommended for the term commencing January 1, 2019 ending December 31, 2020; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Personnel Officer, Anthony C. Fumarola and Clerk of the County of Herkimer, who shall immediately notify the State Commissioner of Elections of this appointment.



HERKIMER COUNTY LEGISLATURE

No. 308

REPORT AND RESOLUTION AWARDING BID FOR THE PROVISION OF A GENERAL CONTRACTOR FOR CONSTRUCTION OF THE NEW HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated October 2, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that sealed bids were received, opened and read in accordance with law for the provision of a General Contractor for the construction of the new Herkimer County Correctional Facility; and

WHEREAS, the Budget Officer/Purchasing Agent, in conjunction with Labella & Associates, advises that the lowest bidder is as follows:

Jersen Construction Group, LLC

6 Industry Drive
Waterford NY 12188

Base Bid \$23,444,000

Alternate No. GC – 01: Epoxy Paint	\$22,000
Alternate No. GC – 03: Carpet Acoustical Flooring	\$10,000
Alternate No. GC – 04: All Future Double Bunking Components	\$31,000

and,

WHEREAS, there are sufficient budgeted funds for this expense; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the provision of a General Contractor for the construction of the new Herkimer County Correctional Facility to Jersen Construction Group, LLC, 6 Industry Drive, Waterford, NY 12188, in the amount of \$23,444,000 together with Alternate No. 1, Alternate No. 3 and Alternate No. 4 in the combined amount of \$63,000.00 , for a total of \$23,507,000.00; and be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 309

REPORT AND RESOLUTION AWARDING BID FOR THE PROVISION OF AN ELECTRICAL CONTRACTOR FOR CONSTRUCTION OF THE NEW HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated October 2, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that sealed bids were received, opened and read in accordance with law for the provision of an Electrical Contractor for the construction of the new Herkimer County Correctional Facility; and

WHEREAS, the Budget Officer/Purchasing Agent, in conjunction with Labella & Associates, advises that the lowest bidder is as follows:

Weydman Electric, Inc.
747 Young Street
Tonawanda NY 14150

Base Bid \$3,888,000.00

and,

WHEREAS, there are sufficient budgeted funds for this expense; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the provision of an Electrical Contractor for the construction of the new Herkimer County Correctional Facility to Weydman Electric, Inc., 747 Young Street, Tonawanda, NY 14150, in the amount of \$3,888,000.00; and be it further

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

Dated: October 3, 2018.

Amendment: 1st Resolved Clause after \$3,888,000.00 to read:

Contingent upon the bidder holding open the security system portion of the bid for 45 days from the date of its receipt by the county.



HERKIMER COUNTY LEGISLATURE

No. 310

REPORT AND RESOLUTION AWARDING BID FOR THE PROVISION OF A PLUMBING CONTRACTOR FOR CONSTRUCTION OF THE NEW HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated October 2, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that sealed bids were received, opened and read in accordance with law for the provision of a Plumbing Contractor for the construction of the new Herkimer County Correctional Facility; and

WHEREAS, the Budget Officer/Purchasing Agent, in conjunction with Labella & Associates, advises that the lowest bidder is as follows:

DiGesare Mechanical
3434 Carman Road
Schenectady NY 12303

Total Bid: \$2,942,000

and,

WHEREAS, there are sufficient budgeted funds for this expense; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the provision of a Plumbing Contractor for the construction of the new Herkimer County Correctional Facility to DiGesare Mechanical, 3434 Carman Road, Schenectady, NY 12303, in the amount of \$2,942,000.00; and be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 311

REPORT AND RESOLUTION AWARDING BID FOR THE PROVISION OF A MECHANICAL CONTRACTOR FOR CONSTRUCTION OF THE NEW HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by letter dated October 2, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that sealed bids were received, opened and read in accordance with law for the provision of a Mechanical Contractor for the construction of the new Herkimer County Correctional Facility; and

WHEREAS, the Budget Officer/Purchasing Agent, in conjunction with Labella & Associates, advises that the lowest bidder is as follows:

J & K Plumbing
PO Box 25 Westview Station
Binghamton NY 13905

Total Bid: \$3,205,000

and,

WHEREAS, there are sufficient budgeted funds for this expense; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby awards a bid for the provision of a Mechanical Contractor for the construction of the new Herkimer County Correctional Facility to J&K Plumbing, PO Box 25 Westview Station, Binghamton, NY 13905, in the amount of \$3,205,000.00; and be it further

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

Dated: October 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 312

RESOLUTION AUTHORIZING CONTRACT MODIFICATION WITH LABELLA ASSOCIATES

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

WHEREAS, by Resolution No. 66 of adopted on February 14, 2018 this Legislature authorized the execution of a contract modification with LaBella Associates, D.P.C. in accordance with additional costs; and

WHEREAS, since that time, a further proposed modification of that contract has been submitted to the Legislature containing an additional \$10,000 for Storm Water Pollution Prevention Plan design and \$30,000 Storm Water Pollution Prevention inspection services, as well as \$5,000 for remaining environmental review fees; now, therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to execute a contract modification agreement with LaBella Associates, D.P.C. which contains the additional costs approved by Resolution No. 66 of February 14, 2018, as well as the above costs; and be it further

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

Dated: October 3, 2018.

