

**MINUTES**  
**Herkimer County Legislature**  
**First Quarter – Third Day**  
**Wednesday, February 14, 2018**  
**7:30 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 7:30 p.m.

Chairman Peplinski called on Kathy Wright, Director of Information Services, 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, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Ackerman (1).

\*Legislator Ackerman was absent due to the explosion in Little Falls in his capacity as employee of National Grid.

Quorum present.

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 January 24, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

Pursuant to Rule 11, Chairman Peplinski suspended the regular session for a presentation by CABVI. Chairman Peplinski called on Legislator John Brezinski to introduce employees of CABVI. Katie Humphreys and Amos Ackerman are employees of CABVI in business development. Katie and Amos, along with Legislator Brezinski explained the work done by the employees and stated how many employed by CABVI are residents of Herkimer County. The CABVI Program was discussed and Sheri Ferdula, Herkimer County Purchasing Agent stated that the County does a substantial business with CABVI and offered to set up a meeting with the towns and villages so CABVI could explain their products and services. Chairman Peplinski thanked them for coming.

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. Being none, Chairman Peplinski continued with the Session.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Legislator Bono, Chairman of the Committee on County Planning & Development introduced John J. Piseck as the new Executive Director of the Industrial Development Agency.

No. 62 – A communication was received from Legislator Johnson submitting resignation from MVEDD Board of Directors. Filed.

No. 63 – A communication was received from Legislator Ackerman submitting resignation as a member of the Board of Trustees at HCCC. Referred to the Committee on Education.

No. 64 – A communication was received from the Assistant Co. Attorney submitting report of pending litigation. Filed.

No. 65 - A communication was received from Senator James L. Seward advising of Mortgage Tax expiration. Referred to the Committees on Administration/Veterans' Affairs and Ways & Means.

No. 66 – A communication was received from the Budget Officer – Requesting budget amendment, appropriation and establishment of a project for HCCC roof project. Referred to the Committee on Ways & Means.

No. 67 - A communication was received from the Personnel Officer submitting 2017 GASB 43 & 45 actuarial report. Referred to the Committee on Ways & Means.

No. 68 - A communication was received from the Commissioners of Elections requesting contracts with school districts for use of voting machines. Referred to the Committees on Administration/Veterans' Affairs and Ways & Means.

No. 69 - A communication was received from the Sheriff submitting monthly report for September 2017. Referred to the Committee on Public Safety/Emergency Management.

No. 70 – A communication was received from the Sheriff submitting monthly report for October 2017. Referred to the Committee on Public Safety/Emergency Management.

No. 71 - A communication was received from the Sheriff – Submitting monthly report for December 2017. Referred to the Committee on Public Safety/Emergency Management.

No. 72 - A communication was received from the Director of Office for the Aging submitting Annual Report for 2017. Referred to the Committee on Human Resources.

No. 73 - A communication was received from the Personnel Officer submitting Annual Report for the Personnel Office 2017. Referred to the Committee on Ways & Means.

No. 74 - A communication was received from the Personnel Officer submitting 2017 Annual Report for the Stand Alone Workers' Compensation Self Insurance Coverage. Referred to the Committees on Ways & Means.

- No. 75 - A communication was received from the Personnel Officer submitting 2017 Annual Report for the former Herkimer County Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways & Means.
- No. 76 - A communication was received from the Dir. Of Information Services submitting 2017 Annual Report for IS Dept. Referred to the Committee on Information Services.
- No. 77 - Dir. Of Information Services submitting 2017 Annual Report for the Central Printing Department. Referred to the Committee on Information Services.
- No. 78 - A communication was received from the Budget Officer submitting 2017 Annual Report of the Purchasing Agent. Referred to the Committee on Ways & Means.
- No. 79 - A communication was received from the Budget Officer requesting adoption of 2018 Purchasing Policy. Referred to the Committee on Ways & Means.
- No. 80 - A communication was received from the Director of Office for the Aging requesting contract with DSS to implement Balance Incentive Program. Referred to the Committees on Human Resources and Ways & Means.
- No. 81 - A communication was received from the Commissioner of Social Services requesting amendment to dues for 2018. Referred to the Committee on Ways & Means.
- No. 82 - A communication was received from the STOP-DWI Coordinator requesting to accept grant funding. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.
- No. 83 - A communication was received from the Budget Officer requesting amendment to 2018 budget for STOP DWI Funding. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.
- No. 84 - A communication was received from the Budget Officer requesting 2017 budget amendment. Referred to the Committee on Ways & Means.
- No. 85 - A communication was received from the Executive Director, IDA requesting payment for legal contribution. Referred to the Committee on Ways & Means.
- No. 86 - A communication was received from the Director of Information Services requesting approval to renew agreement with Annese & Associates for maintenance & support. Referred to the Committees on Information Services and Ways & Means.
- No. 87 - A communication was received from the Budget Officer advising of bid award for tractor purchase. Referred to the Committees on Natural Resources.

No. 88 - A communication was received from the STOP-DWI Coordinator requesting to accept grant funding. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 89 - A communication was received from the Budget Officer requesting transfer of funds in 2018 budget for county Snow contracts. Referred to the Committee on Ways & Means.

No. 90 - A communication was received from the Highway Superintendent submitting calculated county snow contract rates. Referred to the Committee on Ways & Means.

No. 91 - A communication was received from the Highways Superintendent requesting amendment to Salary Schedule II. Referred to the Committees on Highways and Ways & Means.

No. 92 - A communication was received from the Personnel Officer requesting amendment to Salary Schedule II. Referred to the Committees on Highways and Ways & Means.

No. 93 - A communication was received from the Director of Employment and Training Administration requesting acceptance of 2018 Workforce Development Board Local Plan. Referred to the Committees on County Planning & Development and Ways & Means.

No. 94 - A communication was received from the Director of Real Property submitting Statement of County Equalization for 2018. Filed.

No. 95 - A communication was received from the County Administrator requesting to set a work day of 8 hours for Deputy Director of Emergency Services for the NYS Retirement System. Referred to the Committee on Ways & Means.

No. 96 - A communication was received from the Director of Emergency Services requesting appointments to Fire Advisory Board. Referred to the Committee on Public Safety/Emergency Management.

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

On motion of Mr. Russell, seconded by Mr. Stephens, the following Consent Agenda was handed up; voted on and adopted by voice vote:

For: Ayes (16).

Against: None.

Absent: Ackerman (1).

**Consent Agenda:**

- |    |   |       |
|----|---|-------|
| 42 | HUM. RES.: Adopting Annual Report of Herkimer County Office for the Aging                   | VOICE |
| 43 | WAYS & MEANS: Adopting Annual Report of the Personnel Office                                | VOICE |
| 44 | WAYS & MEANS: Adopting Annual Report of Herkimer County Stand<br>Workers' Compensation Plan | VOICE |
| 45 | WAYS & MEANS: Adopting Annual Report of Former Herkimer County<br>Self-Insurance Plan       | VOICE |
| 46 | INFO. SVCS.: Adopting Annual Report of Information Services & Central<br>Printing           | VOICE |
| 47 | WAYS & MEANS: Adopting Annual Report of Purchasing Agent                                    | VOICE |
| 48 | WAYS & MEANS: Adopting Purchasing Policy  | VOICE |

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Smith, seconded by Mr. Schrader, Report and Resolution No. 49 sponsored by the Committee on Human Resources and the Committee on Ways & Means authorizing contract between Office for the Aging and Department of Social Services in connection with Balance Incentive Program was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Russell, seconded by Mr. Schrader, Report and Resolution No.50 sponsored by the Committee on Ways & Means amending Resolution No. 330 of 2017 authorizing payment of dues during the year 2018 was handed up for discussion; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Campione, seconded by Mr. Keeler, Report and Resolution No. 51 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 52 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Bono, seconded by Mr. Gaworecki, Report and Resolution No.53 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing contribution toward legal fees was handed up, voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Campione, seconded by Mr. Schrader, Report and Resolution No. 54 sponsored by the Committee on Information Services and the Committee on Ways & Means authorizing annual service maintenance agreement and support services for equipment located in the Herkimer County Information Services Department was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Campione, seconded by Mr. Brezinski, Report and Resolution No. 55 sponsored by the Committee on Natural Resources awarding bid for equipment for Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Keeler, seconded by Mr. Gaworecki, Report and Resolution No. 56 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means amending budget for Homeland Security funding for Sheriff's Department was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 57 sponsored by the Committee on Highways and the Committee on Ways & Means transferring funds in connection with County Snow Removal Contracts handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 58 sponsored by the Committee on Highways and Committee on Ways & Means amending Salary Schedule No. II for salary Change in Herkimer County Highway Department was handed up; voted on and adopted by the following roll call vote:

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

Against: None.

Absent: Ackerman (1).

On motion of Mr. Weakley, seconded by Mr. Smith, Report and Resolution No. 59 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing Chairman to sign Workforce Development Board Local Plan was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 60 sponsored by the Committee on Administration/Veterans' Affairs and Committee on Ways & Means authorizing use of Voting Machines and Equipment by School Districts was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 61 sponsored by the Committee on Ways & Means amending Resolution No. 131 of 2008 establishing standard workday for Elected and Appointed Officials and certain County Positions was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Keeler, seconded by Mr. Campione, Report and Resolution No. 62 sponsored by the Committee on Public Safety/Emergency Management appointing members of the Herkimer County Fire Advisory Board was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Manno, seconded by Mr. Shaw, Report and Resolution No. 63 sponsored by the Committee on Ways & Means appropriating funding and amending budget for Roof Replacement on the Robert McLaughlin Community Center and Technology Center was handed up; voted on and adopted by the following roll call vote:

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

Against: None.

Absent: Ackerman (1).

On motion of Mr. Manno, seconded by Mr. Hollum, Report and Resolution No. 64 sponsored by the Committee on Education appointing member to Herkimer County Community College Trustees was handed up; voted on and adopted by voice vote:

Ayes: (15).

Abstain: Russell (1).

Against: None.

Absent: Ackerman (1).

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 65 sponsored by the Committee on Ways & Means amending Resolution No. 83 of 2017 determining Officers and Employees of Herkimer County required to file financial Disclosure Forms was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: (1).

On motion of Mr. Bono, seconded by Mr. Keeler, Resolution No. 66 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means approving Jail Design and Construction and Contract modification with Labella Associates was handed up; voted on and adopted by the following roll call vote as requested by Legislator Brezinski:

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

Against: Malta, Schrader, Brezinski (3).

Absent: Ackerman (1).

On motion of Mr. Schrader, seconded by Mr. Campione, Resolution No.67 In Memoriam of Legislator Dennis Korce was handed up; discussion was held, voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Ackerman (1).



At 8: 23 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, March 14, 2018 at 7:30 p.m.

Sally I. Deming, Clerk



## HERKIMER COUNTY LEGISLATURE

No. 42

### REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE AGING

**Sponsored by: Committee on Human Resources**

Your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 2017, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2017.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 43

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FEES RECEIVED BY THE HERKIMER COUNTY PERSONNEL OFFICE**

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

Your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2017, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2017 be approved and placed on file with the Herkimer County Legislature.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 44

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE WORKERS' COMPENSATION PLAN**

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

Your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2017, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2017 be adopted and filed with the Herkimer County Legislature.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 45

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF INSURANCE PLAN**

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

Your Committee on Ways and Means, to which was referred the Annual Report of the Former Herkimer County Self Insurance Plan for the year 2017, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Former Herkimer County Self Insurance Plan for the year 2017 be adopted and filed with the Herkimer County Legislature.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 46

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE INFORMATION SERVICES AND CENTRAL PRINTING DEPARTMENTS**

**Sponsored by: Committee on Information Services**

Your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2017, and the Annual Report for the Central Printing Department for the year 2017, respectfully reports that we have examined the same, recommend the adoption of said reports, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Information Services Department and the Annual Report for the Central Printing Department for the year 2017 be approved and placed on file with the Herkimer County Legislature.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 47

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PURCHASING AGENT FOR THE YEAR 2017**

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

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Budget Officer and Purchasing Agent, submitting the report of the Purchasing Department the months of January through December, 2017, respectfully reports that we have examined said report, recommend its adoption and offer the following resolution:

RESOLVED, that the annual report of the Purchasing Agent for the year 2017 be adopted and filed with the Herkimer County Legislature.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 48

### REPORT AND RESOLUTION ADOPTING UPDATED POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES

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

WHEREAS, by letter dated January 26, 2018 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised of a request to adopt an updated Herkimer County Purchasing Policies for 2018; now, therefore, be it

RESOLVED, that the attached Policies for Procedures for Purchase of Goods and Services be, and hereby are, adopted as the official policies of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to each department head in the County.

Dated: February 14, 2018.



**HERKIMER COUNTY**  
**POLICIES AND PROCEDURES FOR PURCHASE OF GOODS AND SERVICES**

**I.** All contracts for public works involving an expenditure of more than Thirty-five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of more than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature, shall be awarded to the lowest responsible bidder as provided by Article 5-A of the General Municipal Law.

**II.** All contracts for public works involving an expenditure of less than Thirty-Five Thousand Dollars (\$35,000.00) and all purchase contracts involving an expenditure of less than Twenty Thousand Dollars (\$20,000.00), unless excepted by statute or an appropriate resolution of this Legislature or purchased off of State Contract, shall be procured in compliance with the following procedures:

- A.** These procedures are adopted to assure the prudent and economical use of public money, and to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost and to guard against favoritism, extravagance, fraud and corruption.
- B.** The Purchasing Agent, and any other officer or employee of Herkimer County authorized to make or recommend purchase of goods and services, in cooperation with the Purchasing Agent, shall, in all appropriate cases, survey the marketplace to determine the probable cost of any goods and/or services required by the County. If it is deemed probable that the cost will exceed the aforesaid limits of \$20,000.00 and \$35,000.00 paragraph "I" shall control. In all other cases, these procedures shall be followed. The Purchasing Agent shall document action taken to make such determination when appropriate.
- C.** Dollar limits for purchase of goods and services are adopted as follows:

<b>DOLLAR LIMIT</b>	<b>PROCEDURE</b>
\$1 - \$2,000	At the discretion of the Purchasing Department.
\$2,001 - \$10,000	Documented verbal quotes from at least three separate vendors (if available) and consultation with the Purchasing Department to determine delivered or installed costs.

\$10,001-\$20,000 Documented written quotes from at least three separate vendors (if available) and consultation with the Purchasing Department and appropriate Committee of the Legislature, (to include State Contract Purchases) to determine delivered or installed costs.

Over \$20,000 Sealed bids in conformance with the General Municipal Law.

D. Dollar limits for purchase of public works are adopted as follows:

**DOLLAR LIMIT**

**PROCEDURE**

\$1 - \$2,000

At the discretion of Purchasing Department

\$2,001 - \$10,000

Documented verbal quotes from at least three separate sources (if available) and consultation with the Purchasing Department.

\$10,001 - \$35,000

Documented written quotes from at least three separate sources and consultation with the Committee of the Legislature involved.

Over \$35,000

Sealed bids in conformance with the General Municipal Law.

- E. The above policies apply also to the Highway Department except that the requirement to consult with the Purchasing Department applies only to purchases requiring the specific authorization of the Legislature.

### **III. AWARDING PURCHASES**

- A. Proper documentation is required when the quote is not awarded to the vendor giving the lowest price. Quotes will be awarded to the lowest responsible and responsive vendor providing the goods are of equal values.
- B. Use of alternative purchasing methods including NYS Contracts, Contracts of other New York State Municipalities, "Piggybacking" on other governmental contracts, federal contracts, cooperative purchasing, preferred source, sole source and emergency purchases shall be governed by the provisions of New York State General Municipal Law, Sections 103, 104 or 104-B or State Finance Law, Section 162 or other applicable provisions of law and properly documented.
- C. Best Value: The specific non-price criteria to be used for Best Value purchases must be detailed in the price solicitation and the analysis of the resulting quotes or bids using the specified criteria must be documented. The documentation should include cost benefit analysis where possible. Award for purchases can then be made to the bidder deemed to be the Best Value to the County with all of the aspects of the Purchasing Policy remaining the same, as per Herkimer County

Local Law.

- IV. A. All purchases of goods or services (except transcription services, utilities, unscheduled repairs and otherwise authorized services) require a purchase order. Contracts up to \$10,000 may be signed by the department head provided all other purchasing policies, laws and resolutions of the Legislature are complied with and documented. All such contracts must be reviewed by Purchasing Department for compliance with Purchasing Policy prior to signing.

V. **PROFESSIONAL SERVICES PROCUREMENT POLICY**

Purchases of professional services, which are not required to be bid by State law, shall be governed by the following principles and practices:

- A. Contracts shall be executed for professional services, when appropriate, to delineate the services to be rendered and the method and amount of payment.
- B. Staff who seek approval to purchase professional services must seek to generate proposals to perform these services that are as appropriate to the County's needs and as cost-competitive as possible, by use of RFP's or RFQ's, etc. RFQ's may be used prior to RFP's or independently.
- C. The process to be followed in each new or renewal contract for professional services shall be proposed by the departmental staff person responsible for the services to the appropriate committee of the Legislature. The Purchasing Department must be copied (except for Highway fund requests) prior to consideration and approval by the appropriate Committee. The hiring of those professionals may be authorized by the appropriate committee up to \$10,000. The full Legislature must approve professional services over \$10,000 annually or if additional funds must be appropriated (such as with grants).
- D. Where alternative quotes or proposals are obtained, awards to an entity other than the lowest proposer must be properly documented with the rationale/reason for rejection of the lowest price.
- E. For certain types of procurements of professional services, the solicitation of alternative proposals or quotations would not be in the best interest of the County, for example, highly specialized services for which the number of qualified and available professionals is limited. In those instances, the hiring of those professionals may be authorized by the appropriate committee up to \$10,000 annually. The full Legislature must approve the contract if over \$10,000 annually without alternative quotes or RFP's after presentation to the committee of the justification for such a determination with the appropriate documentation.
- F. Any and all procedures not specifically addressed in this policy shall be governed by Section 103 or 104-b of the General Municipal Law.

**VI.** Any purchases of goods or services from an employee of Herkimer County or an immediate family member must be approved by the appropriate committees of the Legislature in addition to all other requirements.

**VII.** The following employees are authorized to make general purchases for Herkimer County

(The list must be updated bi-annually):

S. Ferdula, Budget Officer/Purchasing Agent

P. Lumia, Deputy Purchasing Agent

M. Nagele, County Highway Superintendent

J. Lindholm, Deputy County Highway Superintendent

K. Enea, Treasurer (credit card only)



## HERKIMER COUNTY LEGISLATURE

No. 49

### **REPORT AND RESOLUTION AUTHORIZING CONTRACT BETWEEN OFFICE FOR AGING AND DEPARTMENT OF SOCIAL SERVICES IN CONNECTION WITH BALANCE INCENTIVE PROGRAM**

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

WHEREAS, by letter dated January 26, 2018 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with the Department of Social Services in the amount of \$35,000 to provide services in connection with the implementation of the Balance Incentive Program, which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement; and

WHEREAS, said contract will be for the period from January 1, 2018 through March 31, 2019 and will be 100% funded by the Balance Incentive Program; now, therefore, be it

RESOLVED, that this Legislature authorizes a contract for the period January 1, 2018 through March 31, 2019, between the Herkimer County Office for the Aging and the Herkimer County Department of Social Services, for the provision services in connection with the implementation of the Balance Incentive Program, which is a program to assist individuals who are Medicaid or Medicare eligible in obtaining in-home services to prevent nursing home placement, in the amount of \$35,000; and, be it further

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

RESOLVED, that said program shall continue so long as 100% reimbursement is available from the State of New York; 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 Director of the Office for the Aging.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 50

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 330 OF 2017 AUTHORIZING PAYMENT OF DUES DURING THE YEAR 2018**

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

WHEREAS, on December 13, 2017 this Legislature adopted Resolution No. 330 authorizing payment of dues for municipal officers and employees during the year 2018; and

WHEREAS, by communication dated January 24, 2018, from Timothy Seymour, Commission of Social Services, this Legislature is advised that the NYS Public Welfare Association, has increased their membership dues, from \$4,185.00 to \$4,679.00, and further requests Resolution No. 330 of 2017 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 330 adopted on December 13, 2017 be amended under Department of Social Services, to increase the membership dues for the NYS Public Welfare Association from \$4,185.00 to \$4,679.00; and, be it further

RESOLVED, that in all other respects Resolution No. 330 of 2017 shall remain in full force and effect; 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: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 51

### REPORT AND RESOLUTION ACCEPTING GRANT 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 January 11, 2018, from Michael L. Edwards, STOP-DWI Coordinator, has advised of a onetime budget allocation of the enhancement of NYS STOP-DWI Programs in the amount of \$22,500, this Legislature is further advised that it is necessary to amend the Herkimer County Budget for 2018; and

WHEREAS, by letter dated January 18, 2018 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2018 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that this Legislature accepts the award of a onetime budget allocation of the enhancement of NYS STOP-DWI Programs in the amount of \$22,500; and, be it further

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

RESOLVED, that the 2018 Herkimer County Budget is hereby amended as follows:

Revenue:	A3315A.4389G, Impaired Driving Det., DWI Crackdown	From: \$0 To: \$22,500
Appropriations:	A3315A.25000, Impaired Driving Det., Other equipment	From: \$0 To: \$22,500

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.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 52

### REPORT AND RESOLUTION ACCEPTING GRANT 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 February 1, 2018, from Michael L. Edwards, STOP-DWI Coordinator, he has requested this Legislature accept the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$10,000 for the period of October 1, 2017 through September 30, 2018, and advised that local police departments have been awarded \$10,000 as a pass through administered by the County; and

WHEREAS, by letter dated February 1, 2018 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2017 in connection with the receipt of said funding; now, therefore, be it

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

RESOLVED, that the 2017 Herkimer County Budget is hereby amended as follows:

Revenue:	A3315A.4389G, Impaired Driving Det., DWI Crackdown	From: \$0 To: \$10,000
Appropriations:	A3315A.44000, Impaired Driving Det., Contracted services	From: \$0 To: \$10,000

and, be it further

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

Dated: February 14, 2018.





## HERKIMER COUNTY LEGISLATURE

No. 53

### REPORT AND RESOLUTION AUTHORIZING CONTRIBUTION TOWARD LEGAL FEES OF HERKIMER COUNTY IDA

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

WHEREAS, because of the failure of The Field of Dreams Sports Complex, LLC to pay monies owed pursuant to a PILOT Agreement, the Herkimer County Industrial Development Agency took action to collect monies owed to it which in turn are owed to Whitesboro Central School District, the Town of Schuyler and the County of Herkimer; and

WHEREAS, the Herkimer County IDA has incurred legal fees in the amount of \$1,712.79 and has asked that the taxing jurisdictions which would receive the funds make a pro rata contribution towards those fees as follows: Whitesboro School District \$904.51, the Town of Schuyler \$204.14, the County of Herkimer \$204.14 and the Herkimer County IDA \$400.00; now, therefore be it

RESOLVED, that the County of Herkimer hereby approves the payment of the amount of \$204.14 toward the above described Field of Dreams legal fees; and be it further

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

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 54

### REPORT AND RESOLUTION AUTHORIZING ANNUAL SERVICE MAINTENANCE AGREEMENT AND SUPPORT SERVICES FOR EQUIPMENT LOCATED IN THE HERKIMER COUNTY INFORMATION SERVICES DEPARTMENT

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

WHEREAS, by Resolution No. 157 adopted on July 1, 2015 a contract was entered into with Annese & Associates of Herkimer, New York, to provide and perform equipment and services for a core switch replacement and addition solution, including a maintenance agreement; and

WHEREAS, by letter dated January 26, 2018, Kathy Wright, Information Services Director, has requested approval of a maintenance and support services agreement for the period of April 1, 2018 through March 31, 2019 at a cost of \$13,533.57, which will be provided for the Cisco appliances, Trend Micro, VMware, Veritas, and NetApp software which are all part of the Datacenter virtualization and Firewall setup of the county server system; now, therefore be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a service maintenance agreement with Annese & Associates, 4781 State Route 5W, Herkimer, New York to provide maintenance and support services for the Cisco appliances, Trend Micro, VMware, Veritas, and NetApp software which are all part of the Datacenter virtualization and Firewall setup of the county server system at a cost of \$13,533.57 ; and; be it further

RESOLVED, that said contract shall be for the period April 1, 2018 through March 31, 2019 and shall be subject to the review and approval of the Herkimer County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to enter into annual renewals of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 55

### REPORT AND RESOLUTION AWARDING BID FOR EQUIPMENT FOR HERKIMER COUNTY SEWER DISTRICT

**Sponsored by: Committee on Natural Resources**

WHEREAS, by letter dated January 21, 2018, the Budget Officer/Purchasing Agent has advised that bids were received in accordance with law for the purchase of a tractor for the Herkimer County Sewer District; and

WHEREAS, by said letter it is recommended that the bid be awarded to Cazenovia Equipment Company of Clinton, New York, which holds the State Contract for Landscape and Grounds Related Equipment, #PC66663, in the amount of \$22,660.76; now, therefore, be it

RESOLVED, that the bid for the purchase of a John Deere 2032R Compact Utility Tractor for the Herkimer County Sewer District be awarded to Cazenovia Equipment Company, 8186 Seneca Turnpike, Clinton, New York 13323 in the amount of \$22,660.76; and, be it further

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

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 56

### REPORT AND RESOLUTION AMENDING BUDGET FOR HOMELAND SECURITY FUNDING FOR SHERIFF'S DEPARTMENT

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

WHEREAS, by Resolution No. 207 of 2017, Herkimer County accepted a Homeland Security Grant in the amount of \$22,494.00 for receipt of FY2017 SLETPP for the purchase of a Portable License Plate Reader and which grant is under the Law Enforcement Terrorism Prevention Program; and

WHEREAS, by letter dated January 18, 2018 from Sheri A. Ferdula, Budget Officer, this Legislature is advised the 2017 budget should be amended to reflect grant funds; now therefore be it

RESOLVED, that the 2017 Herkimer County Budget is hereby amended as follows:

**REVENUE:**

A3110A.4389H, Homeland Security Grant, Federal Aid	From: \$0
	To: \$22,494

**APPROPRIATION:**

A3110A.42100, Homeland Security Grant, Telephone	From: \$0
	To: \$22,494

and, be it further

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

Dated: February 14, 2018.





## HERKIMER COUNTY LEGISLATURE

No. 58

### REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II FOR SALARY CHANGE IN HERKIMER COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, by letter dated January 24, 2018, Mark Nagele, County Highway Superintendent, has requested that per the hiring agreement for the Deputy Highway Superintendent, once a Professional Engineering license was obtained, the base salary would increase for the position to the annual base pay of \$65,000; and

WHEREAS, by letter dated January 12, 2018, Steven R. Billings, Personnel Officer, your committees have been advised that the appropriate salary for said position in D5010 should be \$65,000 base pay, as the Deputy Highway Superintendent has obtained the proper licensure as required for the job description to be effective as of February 14, 2018; now, therefore be it

RESOLVED, that the base pay for the Deputy Highway Superintendent in Account D5010 is hereby increased to the annual base salary of \$65,000 effective February 14, 2018; and, be it further

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

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 59

### REPORT AND RESOLUTION AUTHORIZING CHAIRMAN TO SIGN WORKFORCE DEVELOPMENT BOARD LOCAL PLAN

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

WHEREAS, by letter dated January 26, 2018 Karin Piseck, Director of Employment & Training, has requested that the Legislature approve and accept the 2017 Workforce Development Board of Herkimer, Madison & Oneida Local Plan for the period of July 1, 2017 through June 30, 2021; and

WHEREAS, the Federal Workforce Innovation & Opportunity Act (WIOA) requires the Local Workforce Development Board (LWDB) of each local Workforce Development Area, in partnership with the chief elected official(s), to develop and submit a comprehensive local plan to the Governor in order to receive Title 1 WIOA Funds; and

WHEREAS, the plan serves a management tool that allows local elected officials and Local Board members to continually evaluate the progress of local service providers and One-Stop operators in implementing the long-term goals and objectives for the local workforce development system. In addition, our local plan once again identifies Herkimer County as Grant Recipient of the Title 1 WIOA funds for the HMO local area; now, therefore, be it

RESOLVED, that the execution by the Chairman of this Legislature is approved of the 2017 Workforce Development Board of Herkimer, Madison, and Oneida Local Plan for the period of July 1, 2017 to June 30, 2021; and be it further

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

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 60

### REPORT AND RESOLUTION AUTHORIZING USE OF VOTING MACHINES AND EQUIPMENT BY SCHOOL DISTRICTS

**Sponsored by: Committee on Administration/Veterans' Affairs  
Committee on Ways and Means**

WHEREAS, the New York State Election Law allows the use of county voting machines and equipment by school districts; and

WHEREAS, by Resolution No. 73 adopted on March 15, 2017, the Chairman of the Legislature was authorized to enter into agreements with several Herkimer County school districts for use of Herkimer County voting machines, privacy booths and technicians to conduct school board and school budget elections in May of 2018; and

WHEREAS, by letter dated January 23, 2018 from Kim Tranter, Republican Election Commissioner and Anthony Fumrola, Democratic Election Commissioner, this Legislature is advised of a similar request from several school districts for use of county voting machines for upcoming school elections to be held on May 15, 2018; now, therefore, be it

RESOLVED, that the County hereby approves the use of county voting machines, privacy booths, equipment and personnel under the following terms:

1. The County will supply available voting machines, privacy booths if needed, and equipment and supplies for the machines at a cost of \$65 per machine; technicians at the rate of \$25 per hour each; training for school appointed personnel at the rate of \$25 per person and transportation of voting machines and privacy booths at the rate of \$160 per school district; the County shall print and assemble poll books for the user upon the receipt of a timely request at the cost of \$5.00 per district; and the County shall program the voting machines.
2. The school districts shall design, secure printing and pay for ballots and submit the final ballot to the County for testing of the machine in a timely manner; shall use election inspectors and coordinators already trained by the County or provide a list of candidates to be trained by the County no later than thirty days before the election; school districts shall pay poll workers for their services; shall reimburse the county for all recoverable expenses including supplies, damage, parts and repairs; shall take all necessary steps to secure the voting machines; shall control all matters relating to the voting process on the day of the election, conduct the election and be responsible



solely for the same; shall be responsible and liable for the care and custody of the voting machines and other supplies while they are in its possession; and shall be liable for any voting machine or equipment failure during the election and any cost incurred as a result of such failures; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign agreements with school districts containing the above terms and conditions, with final form of the contract to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is authorized to enter into annual renewals of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioners of Election and each school district in Herkimer County.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 61

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 131 OF 2008 ESTABLISHING STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS AND CERTAIN COUNTY POSITIONS**

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

WHEREAS, Resolution No. 131 of 2008 the Herkimer County Legislature established the standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement system; and

WHEREAS, by letter dated January 29, 2018, James W. Wallace, Jr., County Administrator has requested that the title of Deputy Director of Emergency Services be added as a reportable title to the New York State and Local Retirement System in response to a letter received from the NYS Retirement System on December 21, 2017; now, therefore be it

RESOLVED, that the following title standard workdays is hereby established for the purpose of determining days worked reportable to the NYS and Local Employees' Retirement system:

Deputy Director/Emergency Services – 8 hours

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Director of Emergency Services, and the NYS and Local Employees' Retirement system.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 62

### REPORT AND RESOLUTION APPOINTING MEMBERS OF THE HERKIMER COUNTY FIRE ADVISORY BOARD

**Sponsored by: Committee on Public Safety/Emergency Management**

WHEREAS, Section 225-a of the County Law provides for the appointment of a county fire advisory board; and

WHEREAS, this Legislature has received the recommendation from Matthew Palumbo, Director of Emergency Service to make the Fire Advisory Board appointments based on member agencies submissions; now, therefore be it

RESOLVED, that the following named persons be, and hereby are, appointed a members of the Herkimer County Fire Advisory Board for a term of two years commencing January 1, 2018 and terminating December 31, 2019;

Chief John Spanfelner- Representing the Herkimer Fire Department  
Chief Robert Paddock – Representing the Ilion Fire Department  
Chief Robert Parese – Representing the Little Falls Fire Department  
Richard Levonski – Representing the Dolgeville Fire Department  
Richard Nichols – Representing the Salisbury Fire Department  
Chief Steven Edick – Representing the VanHornesville Fire Department  
Chief Eric Conigliaro – Representing the Frankfort Fire Department  
Chief David Miller – Representing the Frankfort Center Fire Department  
Chief John Scholl III – Representing the Schuyler Fire Department  
Joseph McCusker – Representing the Poland Fire Department  
Shawn Flemming – Representing the Poland Fire Department  
Mary Henry – Representing the Town of Webb Fire District  
Charles Bogardus– Representing the Town of Webb Fire District  
Douglas Thierry – Representing the Newport Fire Department  
Chief Douglas Barton – Representing the East Herkimer Fire Department  
Alan Richards – Representing the East Herkimer Fire Department  
Ken Palmer – Representing the Mohawk Fire Department  
Chief Daniel Coffin – Representing the Cedarville Fire Department  
Fred Sinclair – Representing the Cedarville Fire Department

And, be it further

RESOLVED, that the Director of Emergency Services, Matthew Palumbo, be and hereby is appointed as a member of the Herkimer County Fire Advisory Board for a term of two years commencing January 1, 2018 and ending December 31, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Secretary of the Fire Advisory Board and each appointee.

Dated: February 14, 2018.



# HERKIMER COUNTY LEGISLATURE

No. 63

## REPORT AND RESOLUTION ESTABLISHING ACCOUNT, APPROPRIATING FUNDING AND AMENDING BUDGET FOR ROOF REPLACEMENT ON THE ROBERT MCLAUGHLIN COMMUNITY CENTER AND TECHNOLOGY CENTER

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

WHEREAS, by Resolution No. 193 of 2017, this Legislature established a Reserve account for the project in the 2017 Herkimer County budget for roof replacement on the Robert Mclaughlin Community Center and Technology Center; and

WHEREAS, by letter dated January 18, 2018 from Sheri Ferdula, Budget Officer, an account number, appropriation and budget amendment is needed in order for the college to pay invoices for the project; now, therefore, be it

RESOLVED, Project 113-1 be established to properly track expenses; and, be it further

RESOLVED, that the 2018 budget be amended and an appropriation be made as follows:

**Appropriation:**

\$750,000      FROM: H878B, Herkimer College Roof Replacement Reserve  
                  TO:     H2497.40000, Community College Capital Projects, Project 113-1

**Amendment:**

H3097, Gen. Gov't Capital Projects	FROM: \$0
	TO:     \$750,000
H2497.40000, Community College Capital Projects, Project 113-1	FROM: \$0
	TO:     \$750,000

and, be it further

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

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 64

### RESOLUTION APPOINTING TRUSTEE AT HERKIMER COUNTY COMMUNITY COLLEGE

**Sponsored by: Committee on Education**

WHEREAS, there presently exists a vacancy on the Board of Trustees; and

WHEREAS, it is the recommendation of your Committee on Education that Patrick E. Russell of Old Forge, New York, be appointed to fill said vacancy; now, therefore, be it

RESOLVED, that Patrick E. Russell, P.O. Box 901, Old Forge, New York, is hereby appointed as a member of the Board of Trustees of Herkimer County Community College, pursuant to Section 6306 of the Education Law of the State of New York, to fill a vacancy presently existing on said board, which term shall expire on June 30, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Personnel Officer, Chancellor of the State University of New York, the Vice Chancellor for Two Year Colleges, President of Herkimer County Community College, Senior Vice President for Administration and Finance of Herkimer County Community College, Chairperson of the Board of Trustees of Herkimer County Community College and Patrick E. Russell.

Dated: February 14, 2018.



## HERKIMER COUNTY LEGISLATURE

No. 65

### **RESOLUTION AMENDING RESOLUTION NO. 83 OF 2017 DETERMINING OFFICERS AND EMPLOYEES OF HERKIMER COUNTY REQUIRED TO FILE FINANCIAL DISCLOSURE FORMS**

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

WHEREAS, by Resolution No. 83 adopted on March 15, 2017 this Legislature adopted an updated list of officers and employees required to file annual financial disclosure forms pursuant to the Herkimer County Ethics Law; and

WHEREAS, additional changes in positions have been submitted and it is necessary to adopt an amended list, referred to as Schedule A; now, therefore, be it

RESOLVED, that Resolution No. 83 adopted on March 15, 2017 is hereby amended to include that all officers and employees on the attached list attached hereto marked Schedule A, be required to file a financial disclosure form as set forth in Local Law No. 3 for the year 1990; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Ethics Board and each officer and employee who holds a position named on Schedule A.

Dated: February 14, 2018.

**2018**

**Schedule A**

Legislators (16)  
Chairman (1)  
County Administrator  
Clerk of the Legislature  
Deputy Clerk of the Legislature  
District Attorney  
Assistant District Attorney (3)  
Coroners (4)  
County Auditor  
Deputy County Auditor  
County Treasurer  
Deputy County Treasurer  
County Property Agent  
Budget Officer & Purchasing Agent  
Deputy Purchasing Agent  
Real Property Tax Service Director  
County Clerk/Records Management Officer  
Deputy County Clerk  
County Attorney  
Assistant County Attorney (3)  
Personnel Officer/Safety Coordinator  
Sheriff  
Undersheriff  
Captain  
Principal Account Clerk  
Board of Elections Commissioner (2)  
Information Services Director  
Information Services Deputy Director  
STOP-DWI Coordinator  
Director of Probation  
Director of Public Health  
Supervising Community Health Nurse (2)  
Director of Community Services  
Administrative Officer, Mental Health  
Commissioner of Social Services  
DSS Attorney (2)  
Director of Social Services  
Special Assistant to Commissioner/Personnel Staff Developer  
Director of Administrative Services (DSS)  
Head Social Welfare Examiner  
Managed Care Coordinator  
WMS Coordinator  
Child Support Enforcement Coordinator  
Social Services Employment Coordinator  
Veterans' Service Agency Director  
Director of Weights and Measures



Director of Office for the Aging  
Nutrition Services Coordinator  
Employment and Training Director II  
Executive Director of the Youth Bureau  
County Building Maintenance Foreperson  
Chief Plant Operator – Sewer District  
Sewer Board Chairman  
Sewer Board Commissioners (4)  
County Highway Superintendent  
Deputy Highway Superintendent  
Highway Maintenance Supervisor  
Assistant Highway Maintenance Supervisor  
Highway Senior Civil Engineer  
Director of Emergency Services  
Deputy Director of Emergency Services  
Supervising Public Safety Telecommunicator  
IDA Executive Director  
Financial Manager

**COMMITTEES, BOARDS AND COUNCILS**

Governmental Policy and Liaison Committee (GP & L)  
Ethics Board  
Herkimer County Planning Board  
Herkimer County Industrial Development Agency

**HERKIMER COUNTY COMMUNITY COLLEGE:**

President  
Trustee (9)  
Senior Vice-President for Administration and Finance  
Dean of Students  
Provost  
Associate Dean of Academic Affairs  
Director of Human Resources  
Controller  
Assistant Dean of Academic Affairs  
Director of Athletics  
Assistant to the President  
Director of Library Services  
Associate Dean of Academic Affairs – Humanities/Soc.Sciences  
Purchasing Agent  
Associate Dean of Academic Affairs – Business/Health/Science/Tech.  
Director of Campus Safety  
Director of Public Relations  
Director of Facilities  
Executive Director of Information Services  
Dean of Enrollment Management  
Director of Institutional Research



## HERKIMER COUNTY LEGISLATURE

No. 66

### RESOLUTION APPROVING JAIL DESIGN AND CONSTRUCTION AND CONTRACT MODIFICATION WITH LABELLA ASSOCIATES

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

WHEREAS, Labella Associates, D.P.C., 300 State Street, Suite 201, Rochester, NY 14614 has submitted a proposal for redesign and modification of the New Herkimer County Correctional Facility project, labeled Option A and Option B; and

WHEREAS, your committees have examined those two options in detail; and

WHEREAS, both options contain additional design services and expenses as well as construction estimates for each option; and

WHEREAS, Option B, which is attached, and which will be slightly more expensive than Option A, but which also represents substantial savings over the original jail design proposal, results in what appears to be a building with a longer life span, and since it uses existing design features results in a quicker construction schedule and lower redesign fees; now, therefore be it

RESOLVED, that this Legislature hereby approves Option B as proposed by Labella Associates, D.P.C., approves modification of the contract with Labella Associates, D.P.C. in accordance with the additional costs listed in Option B, authorizes Labella Associates, D.P.C., to move forward with all necessary redesign and document preparation necessary to move forward with the project, and hereby authorizes the Chairman of this Legislature to execute a contract modification agreement with Labella Associates, D.P.C., with the terms of that agreement 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 County Treasurer, Auditor, Budget Officer, County Attorney and Labella Associates, D.P.C.

Dated: February 14, 2018.

**OPTION B**

HERKIMER COUNTY JAIL PROJECT  
100% DESIGN DEVELOPMENT REPORT

**LABELLA**

BUDGET SUMMARY REPORT 2-9-18

TRADE CONTRACT	CONTRACTOR	TRADE CONTRACT AMOUNT	POTENTIAL CHANGE ORDERS	APPROVED CHANGE ORDERS	TOTAL ANTICIPATED COST	TOTAL INVOICED TO DATE	% COMPLETE	BALANCE TO FINISH
<b>CONSTRUCTION COSTS</b>								
Precast Cells	TBD	\$	\$	\$	\$	\$		\$
Stewwork	TBD	\$	\$	\$	\$	\$		\$
General Construction	TBD	\$	\$	\$	\$	\$		\$
HVAC	TBD	\$	\$	\$	\$	\$		\$
Plumbing	TBD	\$	\$	\$	\$	\$		\$
Electrical	TBD	\$	\$	\$	\$	\$		\$
<b>CONSTRUCTION COST SUBTOTALS</b>								
CONST CONTINGENCY at 5%		\$33,670,000			\$33,670,000			\$33,670,000
DESIGN CONTINGENCY at 2.5%		\$1,700,000			\$1,700,000			\$1,700,000
<b>CONSTRUCTION COST TOTALS</b>		<b>\$1,030,000</b>			<b>\$1,030,000</b>			<b>\$1,030,000</b>
Env Monitoring and Dewatering Testing		\$75,000			\$75,000			\$75,000
<b>CONSTRUCTION TOTALS</b>		<b>\$36,475,000</b>			<b>\$36,475,000</b>			<b>\$36,475,000</b>
<b>10-3-2017 Deducts</b>		<b>\$7,809,173</b>			<b>\$7,809,173</b>			<b>\$7,809,173</b>
<b>NEW CONSTRUCTION TOTAL</b>		<b>\$28,665,827</b>			<b>\$28,665,827</b>			<b>\$28,665,827</b>
<b>INCIDENTAL COSTS</b>								
Architect/C/M	Labella Associates, D.P.C.	\$ 2,421,800			\$ 2,421,800	\$ 1,712,075	37%	\$ 1,649,175
A/LC Additional Services April 2017	Labella Associates, D.P.C.	\$ 130,000			\$ 130,000	\$ 130,000	100%	\$
Re-Design for \$7.6M savings	Labella Associates, D.P.C.	\$ 15,000			\$ 15,000	\$		\$ 15,000
Re-Design for 3 vs 4 Housing Units	Labella Associates, D.P.C.	\$ 27,000			\$ 27,000	\$		\$ 27,000
Eliminate Sheriff Admin & re-design	Labella Associates, D.P.C.	\$ 15,000			\$ 15,000	\$		\$ 15,000
Sewer Study	Labella Associates, D.P.C.	\$ 29,000			\$ 29,000	\$		\$ 29,000
Rework sanitary design	Labella Associates, D.P.C.	\$ 30,000			\$ 30,000	\$		\$ 30,000
Additional C/M Fee	Labella Associates, D.P.C.	\$ 320,135			\$ 320,135	\$		\$ 320,135
P-Printing of Bid Docs and As-Built Docs	Labella Associates, D.P.C.	\$ 35,000			\$ 35,000	\$		\$ 35,000
Add Geotech & Survey - Utilities	Labella Associates, D.P.C.	\$ 16,000			\$ 16,000	\$		\$ 16,000
Building Permit Fees	Herkimer County / NYS	\$ 25,000			\$ 25,000	\$		\$ 25,000
Materials Testing	TBD	\$ 90,000			\$ 90,000	\$		\$ 90,000
Moving/Relocation Expenses	Herkimer County	\$ 50,000			\$ 50,000	\$		\$ 50,000
Utility Company Connection Charges	National Grid	\$ 60,000			\$ 60,000	\$		\$ 60,000
Bond Counsel/Legal Fees	Herkimer County	\$ 125,000			\$ 125,000	\$		\$ 125,000
Builders Risk/General Liability Insurance	Herkimer County	\$ 180,000			\$ 180,000	\$		\$ 180,000
Furniture, Fixtures & Equipment (FF&E)	Herkimer County	\$ 125,000			\$ 125,000	\$		\$ 125,000
Inmate Accessories	Herkimer County	\$ 60,000			\$ 60,000	\$		\$ 60,000
Administration FF&E	Herkimer County	\$ 60,000			\$ 60,000	\$		\$ 60,000
Telephone/Data Servers/Equipment	Herkimer County	\$ 50,000			\$ 50,000	\$		\$ 50,000
Internal Handheld Radio System	Herkimer County	\$ 125,000			\$ 125,000	\$		\$ 125,000
Window Treatments	TBD	\$ 25,000			\$ 25,000	\$		\$ 25,000
Signage	TBD	\$ 60,000			\$ 60,000	\$		\$ 60,000
<b>Incidental Costs Sub Total</b>								
Incidental Budget Contingency 2.0%	Herkimer County	\$ 4,073,935			\$ 4,073,935	\$ 81,479		\$ 81,479
<b>INCIDENTAL COST TOTALS</b>		<b>\$ 4,155,414</b>			<b>\$ 4,155,414</b>	<b>\$ 81,479</b>		<b>\$ 3,253,389</b>
<b>TOTAL PROJECT COSTS</b>		<b>\$ 32,821,241</b>			<b>\$ 32,821,241</b>			<b>\$ 31,919,216</b>

On Site Hazardous Material Remediation - Not anticipated at this time.

\$ 254,370



# HERKIMER COUNTY LEGISLATURE



No. 67

## IN MEMORIAM

- WHEREAS,** *Dennis Korce departed this life on January 26, 2018; and*
- WHEREAS,** *Dennis Korce was a lifelong resident of the Town of Little Falls, and was a devoted husband to his wife Joy and father to his daughters Leah and Molly; and*
- WHEREAS,** *Dennis Korce served with distinction as a Herkimer County Legislator. During his tenure he served as the youngest Chairman of the Legislature, he was instrumental in the establishment of the Herkimer-Oneida Solid Waste Authority, a great proponent for the support of the Herkimer County Humane Society and served on its board for twenty five years, Dennis believed in the investment in Herkimer County infrastructure, as well as numerous other accomplishments; and*
- WHEREAS,** *Dennis Korce was elected to the Herkimer County Legislature and served with integrity from 1978 through 2015, serving on major committees and dealing with important issues of the County; and*
- WHEREAS,** *Dennis Korce was honest, hardworking, loyal, conservative, dedicated and consistent with his principals to the Legislature and his family; he owned and operated a dairy farm, he was an employee of the Town of Little Falls and served as an Assessor for the Town of Little Falls; and*
- WHEREAS,** *The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED,** *That the County Legislature does hereby express its deepest regrets at the decease of Dennis Korce and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further*
- RESOLVED,** *That a copy of this Resolution be sent to the family of Dennis Korce and that an additional copy be spread upon the minutes of this meeting.*

**Dated: February 14, 2018.**