

**Herkimer County Legislature**  
**County Planning & Development and Ways & Means Committee Meeting**  
**Friday, May 29, 2020**  
**Via Teleconference**  
**Follows County Properties and Ways & Means**

**Persons Attending:**

Kurt J. Ackerman (Chairman of Co. Planning; W&M committee member)  
Peter J. Campione (Co. Planning committee member)  
Gregory Malta, Sr. (Co. Planning committee member)  
Bob Hollum (Co. Planning committee member)  
Patrick E. Russell (Chairman, Ways & Means)  
Raymond Smith (Ways & Means committee member)  
Raymond Johnson (Ways & Means committee member)  
Frederick J. Shaw, Jr. (Ways & Means committee member)  
John P. Stephens (Ways & Means committee member)  
Vincent J. Bono, Chairman of the Legislature  
James W. Wallace, Jr., County Administrator  
Brandy Serow, Sec. to Co. Admin.  
Lorraine Lewandrowski, County Attorney  
Sheri Ferdula, Budget Officer  
Steve Billings, Personnel Officer  
Gina Giacobelli, Executive Director, Youth Bureau

**(Non-Committee Members Signed In)**

Legislator Mark Gaworecki  
Legislator Robert J. Schrader  
Legislator William E. Keeler, Sr.  
Legislator John L. Brezinski  
Legislator Peter F. Manno  
Legislator Ray Donley

**Absent:**

William Weakley (Co. Planning committee member)

Mr. Ackerman called the meeting to order at 10:19 a.m.

**Items discussed:**

**COUNTY PLANNING & DEVELOPMENT/WAYS & MEANS:**

1. Summer Youth Program & Bus bid Discussion - **Tabled**
2. Other

**Committee Vote Record**

**COUNTY PLANNING & DEVELOPMENT/WAYS & MEANS:**

Mr. Ackerman stated “We have one thing on the agenda which I don’t know if we can even move forward on and that’s the Summer Youth Program and bus bid. Sheri, do you want to give us an update on the buses?”

Sheri Ferdula stated “Sure. Here is just the facts, we went out to bid, the low bidder came in with Birnie Bus at \$520 per bus. Second low bidder was Hale Transportation who was our provider last year at \$540. We contacted Birnie and Hale just to get our facts straight. Birnie Bus will only allow 17 kids per bus. They are school buses and they will only fit 17 kids per bus. Hale has motor coaches which seat 56 so we

can put 28 kids per bus on a Hale bus. We also asked about disinfecting, how we are going to keep these kids safe. Birnie will be wiping their buses down every night and when they get to Old Forge. Hale has a fog horn system like we use here at the County. The buses have central air so the air will be circulating in and out. Just some facts there. So if you look at last year's numbers, Kathy Stalteri gave me attendance numbers for everyday last year. If I just take those numbers and use them to compare to these buses, last year we had 133 bus runs. With Birnie Bus we would need 243 this year for the same amount of kids and with Hale we would need 158 for the same amount of kids."

Jim Wallace stated "But we don't have the money budgeted."

Sheri Ferdula stated "No. We spent \$67,830 last year. If we were to go with Birnie it would be \$126,000 this year and Hale would be \$85,000 this year."

Mr. Wallace stated "We can also stay with the two buses."

Sheri Ferdula stated "I don't know how you want to balance that out but those are just the numbers and the facts."

Mr. Ackerman stated "Well, obviously Hale is cheaper so they would get awarded the bid because it's based on the number of kids, right?"

Sheri Ferdula stated "Because of the circumstances and the number their buses hold it would go to Hale because they would be more economical for the County."

Mr. Ackerman stated "Plus there is a big difference riding up and back on a coach versus a school bus."

Sheri Ferdula said yes.

Mr. Ackerman stated "I would go with Hale but can we get out of that contract if Water Safari is not allowed to open?"

Sheri Ferdula stated "If we were to award the bid we would put that stipulation in and I would speak to Hale first that if for some reason the program were not to run that it would be null and void."

Mr. Schrader stated "My question to you Kurt is you're not thinking of going with the full \$87,000? You're just thinking of going with the two bus runs, correct? Going with what we have budgeted and not with the third bus. I can't justify \$87,000."

Mr. Ackerman asked "It is \$14,000 more than what we had budgeted Sheri?"

Sheri Ferdula responded "Yes. Just about. It is \$18,000 more than what we had last year."

Mr. Ackerman stated "I think we should have a conversation if we go forward with Water Safari about helping out with the additional money. Pat, what do you think?"

Mr. Russell stated "I think go with two buses and see how it works out. You might not even have enough for one bus. You don't even know how many will even go up."

Mr. Ackerman stated "That's the other part we were going to get into. We may not need half of the buses is right. You're going to have less kids I would assume. If we did get enough kids would they entertain helping out a little bit?"

Mr. Russell stated "I don't know. The last time that came up they just said they would try to get more out of Lewis County I think."

Mr. Schrader stated "If we are only going to be at 50% Pat, they wouldn't need as many people to work there correct?"

Mr. Russell stated "I don't know that answer but I am making an assumption that they probably won't. They still have specific job duties, job areas that they work, you know each employee so I guess we would have to have a call to find out. If you can only do two buses then it is what it is. We have to talk to them about it."

Mr. Ackerman stated "And one more thing, I don't know who was talking with the college but if we don't get enough of our kids to go up there are we still looking at utilizing some of the college students that are back here for the summer? About going up there and possibly getting a job and ride that bus? We had that conversation last month."

Mr. Bono stated "I don't know if the college kids will be back, Kurt. A lot of them are gone."

Mr. Ackerman stated "I thought there was a group that was staying all summer."

Mr. Bono stated "Those are all international students."

Mr. Russell stated "I was the one that brought that up but it turns out that their Visas are not the type of Visas that will allow them to work."

Mr. Ackerman stated "Alright? What's everybody's thought? Do we sign a contract pending this for the two buses and then we will have to talk about a third and getting support from Water Safari to help pay it?"

Sheri Ferdula stated "Kurt, there is just something that we have to be careful with this. Bernie was our low bidder so if we are going to award this bid strictly on bus runs, then I have to go with Birnie because they are the low bidder. Lorraine, jump in if I am not explaining this correctly."

Mr. Ackerman stated "They are not the low bidder."

Sheri Ferdula stated "It depends on how many kids we have. If we have a low number of kids and I can run the Birnie buses and take care of everybody then I have to go with them but if we have the 107 that we had last year and we are still running the program at the same volume then I can justify the Hale."

Mr. Ackerman stated "Sheri, you might be able to go with one bus with Hale which now puts them at the lowest bidder again."

Sheri Ferdula stated "Yes. Absolutely"

Mr. Ackerman stated "Sheri. They are not bidding apples to apples. That's like going out and purchasing a truck and one is 2-wheel drive and one is 4-wheel drive. You're bidding a school bus against a motor coach. Not even close to the same thing."

Sheri Ferdula stated "But in a normal situation we would take the school bus and we wouldn't question it. We wouldn't even consider it."

Mr. Ackerman stated “We shouldn’t then because it’s not the same vehicle. We should not put them at equal bid because they are totally not the same vehicle.”

Mr. Bono stated “Kurt we are specifying a ride. It doesn’t matter. In my opinion it doesn’t matter. A ride is a ride. That’s just a bonus they are giving us.”

Mr. Ackerman stated “That’s your opinion Jim. Maybe it’s not everybody’s. My opinion is, for a dollar more a day I’m getting a motor coach that holds more kids I’m going with the motor coach. They have a bathroom in it.”

Mr. Bono stated “I understand the numbers but as far as the luxury of it, I really don’t care about that.”

Mr. Ackerman stated “You don’t care that an hour and a half of stopping four times for bathroom stops, I think you would end up saving. It’s ridiculous to have this conversation when you have a company that provided a much better cost vehicle and housed more kids on it and had a bathroom on it. Not even a question in my book. I wouldn’t put my kid on a school bus every day to ride up and back there. I ‘m sorry.”

Mr. Bono stated “The kids go every year on a school bus out there.”

Mr. Ackerman stated “Last year they didn’t. So what are we doing? Are we going to hold this? I mean to look into to see which one we go with? What are our options here?”

Lorraine Lewandrowski asked “Is there any time frame by which maybe Mr. Russell would know when Water Safari would know? Like what percentage they are opening or how many kids will be needed?”

Mr. Russell stated “That I don’t know. Jim and Jim know better when they would be opening. They were looking to open around July 1<sup>st</sup> but who knows now with what transpired with the second phase.”

Mr. Bono stated “The assumption is with all of our calls is that even at July 1<sup>st</sup> it would be a 50% opening. Now that could change in ten minutes. That’s the number we have been given multiple times when we hit phase four. Restaurants, recreation, any church, mass gatherings of that sort. That’s the assumption and that’s all we have to go by. The amount of workers would be at 50%.”

Mr. Malta stated “I make a motion to table it until more information comes out of Albany.”

Mr. Ackerman stated “Sheri how long can we go before we need to sign this?”

Sheri Ferdula stated “I’ve spoken to both companies and let them know this has been an issue that we are waiting to hear and they are both ok with holding but I would say by the latest mid-June they have to prepare and get their buses ready and staffing. Probably mid-June.”

Mr. Russell stated “I have a question. The question is do we always have to take the lowest bid?”

Sheri Ferdula stated “Lorraine and I looked into it before the meeting this morning and generally you do always have to take the lowest bid unless you can prove you have a financial reason to go with the second lowest bid or you can justify why. We feel in this case because of the COVID circumstance and the number of people that it holds we can justify not taking the lowest bid.”

Mr. Russell stated “So we could use Hale.”

Mr. Ackerman confirmed.

Mr. Ackerman asked “How many seats does the school bus have total, not counting COVID, and how many does the Hale bus have?”

Sheri Ferdula responded “The Hale bus holds 56, 51 on the school bus.”

Mr. Ackerman stated “51 on the school bus?”

Sheri Ferdula stated “They said every third seat.”

Mr. Ackerman stated “How many kids on a regular day, not counting COVID, does each one of the buses hold?”

Sheri Ferdula stated “They told us that they can put 1/3 of the students so 1/3 of the students is 17 so we are assuming 51.”

Mr. Ackerman asked “And the other one is how many?”

Sheri Ferdula responded “56.”

Mr. Ackerman stated “So you get 5 extra so if you add it by student they come in at a lower bid, not by bus but by the number of people they hold. The number of seats, they technically hold more kids. Are they lower bidder?”

Sheri Ferdula stated “They may be. I would have to work those numbers out. I can put that together and send it to you Kurt.”

Mr. Ackerman stated “Ok. Thank you.”

A motion was made by Mr. Malta, seconded by Mr. Hollum to table the bus bid.

Mr. Ackerman asked if there was any more discussion. Motion to table the bus bid was voted on and approved.

Gina Giacovelli stated “We are getting a lot of calls for kids to get a bus pass. So we are going to have transportation? I should start running it like we are going to have transportation and start doing bus passes?”

Mr. Ackerman stated “Right now I would just let them know it’s on hold and we are looking at still having a bus at this time but anything could change.”

Gina Giacovelli stated “Ok.”

Mr. Ackerman stated “So they can go forward in getting them but there is no guarantee. If the State shuts down Water Safari then obviously there won’t be a bus.”

Gina thanked Mr. Ackerman.

Mr. Russell asked “How many kids have inquired to take the bus?”

Gina Giacobelli responded "I can't tell you how many because they are coming on both phones but we've probably had 20 to 25 calls already and then Water Safari sent emails to everyone saying don't inquire about the bus yet because they weren't sure about the program so I don't know how many they have hired so far."

Mr. Russell stated "I would think we are going to fill two buses then."

Gina Giacobelli stated "I would think so because didn't they expand the park?"

Mr. Russell stated "Well, they put up some new rides."

Gina Giacobelli stated "Right. So they need more staff to run the rides."

Mr. Ackerman stated "The other topic is just the regular Youth Program for this summer. My recommendation is we go forward."

Mr. Ackerman asked Mr. Wallace if he could share the information he had on the subject.

Mr. Wallace stated "Jim and I, in our control meeting yesterday, we were taking for granted that anybody working in an office, working in a pharmacy, working like we always do would be fine to work so we said we better ask the question and we were told not so fast. We will get an answer back to you today."

Mr. Manno stated "I contacted Bob Reina and the principal. The school doesn't want anybody. They don't let anybody in the office. They'll take custodial or maintenance but that's it. I talked to Glenn Asnoe and he doesn't want anybody. The Library may want one or two."

Mr. Ackerman stated "I don't think we need to go through all that at this time. What Jim is saying if we get shut down in the backend none of this matters. At this point we don't know if we can even go forward if they want them."

Mr. Manno said ok.

Mr. Ackerman stated "So at this time we are tabled without needing a motion. Can I get a motion to adjourn?"

On motion of Mr. Campione, seconded by Mr. Malta the County Planning & Development committee adjourned at 10:39 a.m.

The Ways & Means committee continued.