

**Herkimer County Legislature  
Highways and Ways & Means Committee Meeting  
Friday, July 31, 2020  
Via Teleconference  
Follows County Planning & Development**

**Persons Attending:**

Raymond Smith (Chairman, Highways/W&M committee member)  
Peter Campione (Highways committee member)  
Mark Gaworecki (Highways committee member)  
John P. Stephens (Highways /W&M committee member)  
Robert J. Schrader (Highways committee member)  
Patrick Russell (Chairman, Ways & Means/Highways committee member)  
Kurt J. Ackerman (Ways & Means committee member)  
Raymond Johnson (Ways & Means committee member)  
Frederick J. Shaw, Jr. (Ways & Means committee member)  
Vincent J. Bono, Chairman of the Legislature  
James W. Wallace, Jr., County Administrator  
Brandy Serow, Secretary to Co. Administrator  
Lorraine Lewandrowski, County Attorney  
Sheri Ferdula, Budget Officer  
Jill Schrader, Personnel Assistant  
Mark Nagele, Highway Superintendent  
**(Non Committee Members signed in)**  
Legislator Gregory Malta  
Legislator Bob D. Hollum  
Legislator William Keeler, Sr.  
Legislator John L. Brezinski  
Legislator Peter F. Manno  
Legislator Ray Donley

**Absent:**

N/A

Mr. Smith and Mr. Russell called the meeting to order at 9:33 a.m.

**Items Discussed:**

**HIGHWAYS**

1. Approve culvert pipe replacement for the Town of Webb in Highway Department
2. Reappointing Highway Superintendent for 4 year term - **TABLED**
3. Approve 2020 Capital Construction Projects #402-#409 in Highway Department
4. Approve continued education and professional liability for Professional Surveyors License
5. Other

**HIGHWAYS AND WAYS & MEANS:**

6. Approve purchase of After Treatment One Box in Highway Department
7. Authorize advance of funds to the County Road Fund
8. Authorize agreement with Soil & Water for Invasive Species Control in Highway Department
9. Other

**Committee Vote Record:**

**HIGHWAYS**

Mr. Smith: "Number one is to approve the culvert pipe replacement for the Town of Webb. Is there any discussion on this?"

Mark Nagele: "I believe everyone received in their handouts a letter from the Town of Webb as well as two maps that show the pipe in the color blue that we are discussing here today. I have reached out to the Town Supervisor and they would be ok with the County providing the pipe and then they would install it. I think with the Committees approval that is the direction we would go. The blue pipe is fed by two pipes that are coated in yellow on the colored photo. They drain portions of South Shore Road which is a County road so I do think we have some potential interest in getting that pipe replaced, if it were plugged or closed off it would affect our road. That is the agreement the Town Supervisor and I came up with, if it is acceptable to everyone that is the way we would proceed."

Item #1 - On motion of Mr. Schrader, seconded by Mr. Campione for Highways, Item #1 was voted on and approved. Unanimous.

Mr. Smith stated "Second thing on the agenda is reappoint the Highway Superintendent for a four year term."

Mr. Stephens: "Mr. Chairman, can I ask that we do that in executive session at the end?"

Mr. Smith: "We would need a motion to table."

Mr. Stephens: "Ok I will make a motion to table that then. I think this is something that needs to be discussed in executive session."

Mark Nagele: "What is the motion there for?"

Mr. Smith: "To table this until the end so they can talk about it."

Mark Nagele: "Ok thanks."

Mr. Smith: "There is no second on this motion."

Mr. Russell: "I will second the motion."

Item #2 - On motion of Mr. Stephens, seconded by Mr. Russell for Highways, Item #2 was tabled. Yes: Stephens, Russell, Gaworecki, Schrader (4). No: Smith, Campione, Bono (3).

Mr. Smith: "Number three, approve the 2020 capital construction projects. Is there any discussion on this?"

Item #3 - On motion of Mr. Stephens, seconded by Mr. Schrader for Highways, Item #3 was voted on, approved and moved for Resolution. Unanimous.

Mr. Smith: "Number four, approve continued education and professional liability for the professional surveyor's license. Is there any discussion?"

Mr. Stephens: "Yeah, how are we going to do this?"

Mr. Smith: "She is going to serve as the Deputy Superintendent and she is also going to continue doing her work as a surveyor for the County."

Mr. Stephens: "My point here is, do we have to appoint her as the Deputy Superintendent or is that an appointment by Mark?"

Jim Wallace: "No that is an appointment by Mark."

Mr. Stephens: "Ok."

Mr. Schrader: "With that said, are we requiring her replacement to have a surveyor's license?"

Mr. Smith: "She is not having a replacement, she is going to be doing both jobs."

Mr. Schrader: "So we are going to be saving money you're saying, without having to replace her?"

Mr. Smith: "Isn't that right Mark?"

Mark Nagele: "Actually we were planning on filling her position that she is vacating. She is the Senior Civil Engineer. Unfortunately I'm not sure that we would get another person to apply with the PLS License so myself and Steve Billings have decided to take that requirement out of there. We do have one candidate in house that would be interested in that. She would maintain her license if you guys are willing to pay for continuing her education so if we did need a surveyor she would fill in in that capacity. Otherwise she is planning on retiring her license and she wouldn't be able to do any survey work for the County."

Mr. Schrader: "Mark, the question is, are you filling her position?"

Jim Wallace: "Yes, that is what he said. Whether he can or can't he's not sure."

Mr. Schrader: "Without the qualification?"

Jim Wallace: "Correct."

Mr. Schrader: "Ok because when I talked to him he said he picked a person for her position."

Jim Wallace: "That is what he just said."

Mr. Schrader: "Mr. Smith said we weren't. I just wanted to make it clear."

Item #4 - On motion of Mr. Russell, seconded by Mr. Campione for Highways, Item #4 was voted on and approved. Unanimous.

Item #5 - N/A.

### **HIGHWAYS/WAYS & MEANS:**

Mr. Smith: “Number six, Approve purchase of AfterTreatment One Box in the Highway Department. That is for a truck that is disabled.”

Item # 6 – On motion of Mr. Schrader, seconded by Mr. Bono for Highways, and on motion of Mr. Bono, seconded by Mr. Johnson for Ways & Means, Item #6 was voted on and approved. Unanimous.

Mr. Smith: “Number seven, authorize advance of funds to the County Road Fund.”

Item # 7 – On motion of Mr. Campione, seconded by Mr. Schrader for Highways, and on motion of Mr. Bono, seconded by Mr. Stephens for Ways & Means, Item #7 was voted on, approved, and moved for Resolution.

Mr. Smith: “Number eight, authorize agreement with Soil and Water for invasive species control.”

Mr. Russell: “Does this mean for the Highway Department or is it something in the Highway Department?”

Mr. Campione: “Soil and Water is going to do it for the highway department.”

Jim Wallace: “Mark could you give us a little clarification?”

Mark Nagele: “Yeah, this would be to spray Japanese knotweed in the right of ways along the roadsides. We don’t have anything in the property here at the highway department. One of the concerns is Elizabethtown Road, there is knotweed constantly growing in the guiderail and right along the shoulder. This would be a contract with Soil and Water, they have certified people that can go out there and try to treat these areas and kill the knotweed.”

Item # 8 – On motion of Mr. Campione, seconded by Mr. Schrader for Highways, and on motion of Mr. Bono, seconded by Mr. Smith for Ways & Means, Item #8 was voted on, approved, and moved for Resolution.

Item # 9 – N/A.

At 9:46 a.m., on motion of Mr. Schrader, seconded by Mr. Gaworecki, the Highway Committee was adjourned.

The Ways & Means Committee continued.

At 11:12 a.m., the Highways Committee reconvened.

On motion of Mr. Bono, seconded by Mr. Stephens, the Highways Committee went into Executive Session at 11:13 a.m., under Public Officer’s Law, Section 105 (d). No vote taken. On motion of Mr. Schrader, seconded by Mr. Bono, the committee came out of Executive Session at 11:30 a.m.

At 11:30 a.m., on motion of Mr. Stephens, seconded by Mr. Schrader the Highways Committee adjourned.