

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS (INCLUDING AIRPORT; DPW; PARKS, RECREATION & RAILROAD; SOLID WASTE & RECYCLING AND WARREN COUNTY SEWER)

DATE: JULY 1, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
BENTLEY
TESSIER
STEC
MERLINO
HASKELL
CHAMPAGNE
TAYLOR
GOODSPEED

OTHERS PRESENT:

REPRESENTING DPW:
WILLIAM LAMY, SUPERINTENDENT
JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING
REPRESENTING THE WARREN COUNTY AIRPORT:
DON DEGRAW, AIRPORT MANAGER
REPRESENTING PARKS, RECREATION & RAILROAD:
PAUL BUTLER, DIRECTOR
FREDERICK MONROE, CHAIRMAN
PAUL DUSEK, COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS GERAGHTY
STRAINER
THOMAS
VANNESS
WAYNE LAMOTHE, DEPUTY DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT
JULIE PACYNA, PURCHASING AGENT
KIM LUSSIER, EMPIRE EAST AVIATION
NICK CAIMANO, WARREN/WASHINGTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RICK LOEWENSTEIN - CLOUGH, HARBOUR & ASSOCIATES
REPRESENTING THE UPPER HUDSON RIVER RAILROAD:
JOHN RIEGEL
CLIFF WELZ
ALYSON MARTIN, *THE POST STAR*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Belden called the meeting of the Public Works Committee to order at 9:30 a.m.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the minutes from the May 27, 2008 Public Works Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to William Lamy, DPW Superintendent, who distributed copies of the DPW agenda to the Committee members. *A copy of the DPW agenda is on file with the minutes.*

Mr. Lamy began by noting that in an attempt to shorten the Public Works Committee meeting, he had asked all of the Department Heads making presentations during the meeting to restructure their agendas to list only those items requiring action, as well as those topics which the Committee required information. He pointed out that the DPW agenda included a section entitled "Topics of Interest" on which he would briefly update the Committee, while

the rest of the agenda was comprised of items requiring action or those that were pertinent to the Committee. Chairman Monroe noted that it had been the consensus of the Board of Supervisors that the restructuring of Committees had been successful, except for the Public Works Committee, whose meetings were exceedingly long. He suggested that the Committee members consider separating the Public Works Committee into two individual Committees to lessen the length of their meetings.

Mr. Belden advised that due to the rising price of gas and the distance he had to travel to get to the Municipal Center, he would prefer that the Public Works Committee be left as it was to lessen travel time and costs. He stated that he felt Mr. Lamy's attempts to shorten the Committee meeting through reduction in agenda items was promising. Mr. Belden added that if each section of the Public Works Committee meeting could be shortened by 15 minutes it would greatly reduce the length of the meeting which would be amenable to the Committee members.

Subsequent to discussion on the matter, it was the consensus of the Committee that the Public Works Committee structure should remain as it was and that efforts should be made to shorten the length of the meetings through agenda reduction as suggested by Mr. Lamy.

Proceeding to the agenda review, Mr. Lamy apprised that he had recently filled the position of Senior Civil Engineer as previously approved by the Committee. He stated that Kevin Hajos had been chosen to fill the position and would be beginning his tenure with the County on July 14th. Mr. Lamy added that Mr. Hajos had previously worked as a Project Engineer with Clough, Harbour & Associates (CHA) on the Corinth Road Project and would be a tremendous addition to the DPW staff. He then directed the Committee to page 2 of the agenda, which reflected a listing of the duties that would be assumed by Mr. Hajos, many of which were currently the responsibility of Jeffrey Tennyson, Deputy Superintendent of Engineering. Mr. Lamy advised that this transfer of duties would allow Mr. Tennyson to turn his attentions to many of the outstanding projects hampering the DPW, such as the electrical issues in the Municipal Center, the radon project, fuel farm compliance, issues with computer hardware and software and issues with the Kronos timekeeping system. In addition, he noted, Mr. Tennyson would maintain his duties of coordinating engineering activities and his involvement with the Corinth Road, Beach Road and Gaslight Village Projects.

Mr. Lamy advised that the next agenda item pertained to a review of the Budget Performance Report, which had been distributed with the agenda. *A copy of the Budget Performance Report is also on file with the minutes.* He stated that one of the main areas of concern was in the Maintenance of Roads section, located on page 8 of the Report, which reflected that 97% of the funds included for overtime had been used. Mr. Lamy explained that a considerable amount of overtime had been incurred during paving projects and although they were struggling with the lack of funds, they seemed to be on schedule and were moving into the Town paving projects. He noted that he would be returning to the Committee later in the season to discuss the fact that the salt budget had been completely expended during the winter months of 2008 and a decision would have to be made as to where funds would be appropriated from to cover the remainder of the year.

The most concerning Budget issue, Mr. Lamy explained, pertained to the lack of funding in the Automotive - Gas & Oil Budget, Code DM5130.442, and he directed the Committee members to page 11 of the Budget Performance Report which indicated that 51% of the total budget had been expended. He noted that because of the way in which gas billing was received, which was essentially one month behind, these figures only represented the funds used through the month of April. Mr. Lamy advised that this item would be discussed later in the meeting when he presented a request for transfer of funds to address this issue.

Mr. Lamy apprised that beginning on page three of the agenda he had included a request to close several Capital Projects, as well as a memo from the County Treasurer to Chairman Monroe noting several Capital Projects that they felt should be closed as there had been little or no activity pertaining to them for a considerable amount of time. He explained that of the listing provided by the Treasurer, he requested that the following Capital Projects be closed:

- 1) H100.9550 280 - DPW Equipment Purchase, balance of \$35,000;
- 2) H157.9550 280 - Corinth Road Bridge Replacement, balance of \$127,000;
- 3) H142.9550 280 - Exterior Rehab/Repair Municipal Center, balance of \$2,600;
- 4) H203.9550 280 - Airport Obstruction Analysis, balance of \$200.

He noted that the Airport Obstruction Analysis included in his request was from an old study and was not to be confused with the ongoing Airport Obstruction Analysis which had been assigned a different Capital Project number.

Mr. Lamy stated that Capital Project H159.9550 280 - Fuel Management Expansion, should remain open as the Project was ongoing. However, he said, the structure of the Capital Project needed to be reconfigured to comply with Municipal Law, as well as the requirements of the Treasurer's Office. Mr. Lamy explained that the purpose of the Capital Project was to install the automatic fuel monitoring systems at County fuel sites. He noted that in the future, new hardware should be installed to standardize the fuel accounting systems in place which would require commitment of County funds to transition the systems and gain the most efficiency from fuel and fleet management. Mr. Lamy stated that he was not prepared to provide estimates of cost for the standardization, but advised that this was an issue Mr. Tennyson would be working on once Mr. Hajos began to alleviate some of his current workload. He said that although the Capital Project could not be closed, he would meet with the Treasurer to determine what changes could be made to meet their needs.

Mr. Belden asked if the fuel monitor installations would be completed by the end of 2008 and Mr. Lamy replied that although he hoped that the project would be completed, he could not make any guarantee.

Mr. Monroe pointed out that as per the Treasurer's explanation, many of the uses of the money contained in the Capital Project were not consistent with the acceptable uses of funds within a standard Capital Project; therefore, he said, it had been recommended that the Capital Project be closed and those funds returned to the DPW Budget for use as needed. Mr. Lamy reiterated that he would meet with the Treasurer to determine what changes were necessary and return to the Committee with any action needed.

Continuing, Mr. Lamy advised that Capital Project H229.9550 280 - Scaroon Manor Improvement should remain open as it was possible that work requests from NYSDEC (New York State Department of Environmental Conservation) would be received throughout the summer season. He said he recommended that the Project be left open until the end of the construction year to avoid re-establishing a Capital Project for work requests received after its closure.

Mr. Merlino pointed out that the Treasurer's memo referred to a 2004 purchase order issued in the amount of \$204,400 to NL Industries, Inc. for the purchase of land in Essex County, as well as a recommendation that the purchase order be liquidated and the balance therein returned to the General Fund if the Board of Supervisors did not intend to pursue the purchase. Mr. Lamy advised that this was for the purchase of a portion of the railway extending three miles to the north of Warren County. He said that in recent meetings the Committee had determined that the funds should remain in place pending discussion between representatives of Barton Mines and

Mr. Goodspeed regarding the possibility of their using the railway for freight delivery in the future.

Mr. Goodspeed apprised that he had spoken with representatives of Barton Mines as per the Committee's request and had found that the product they were engineering was currently in the testing and development phase. He added that the product had tested very positively and if developed, they would be interested in shipping the product by rail. However, Mr. Goodspeed stated, the problem with the purchase was that NL Industries, Inc. was not interested in selling only the portion of the rail that the County desired, but preferred to sell all of their line as a whole. He reminded the Committee that Paul Dusek, County Attorney, had been consulted on the matter and had made the recommendation that the funds be left in place until more information was known. Mr. Goodspeed said that the Committee would eventually have to make a decision as to whether or not the purchase was viable. He stated that he was a proponent of purchasing the three miles of track desired by the County, but an opponent of the purchase of the entire line offered by NL Industries.

Discussion ensued.

Mr. Dusek entered the meeting at 9:52 a.m.

Mr. Monroe advised that if the purchase order for \$204,400 was going to be closed, the Committee should make a decision to do so prior to the end of the year so that those funds could be returned to the General Fund.

Mr. Lamy apprised that the final item listed in the Treasurer's report was a recommendation to close Capital Project H210.9550 280 Self Fueling Facility. He said that this Project should be left open and that it would be discussed further during the Airport portion of the meeting.

Motion was made by Mr. Haskell, seconded by Mr. Goodspeed and carried unanimously to approve the request to close Capital Projects H100.9550 280 DPW Equipment Purchase; H157.9550 280 Corinth Road Bridge Replacement; H142.9550 280 Exterior Rehab/Repair Municipal Center and H203.9550 280 Airport Obstruction Analysis, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Returning to the issue of a lack of funds in the Automotive - Gas & Oil Budget, Mr. Lamy directed the Committee members to the sixth page of the agenda which reflected a request for a transfer of funds in the amount of \$165,000. He indicated that according to the current rate of usage and rising fuel prices, the remaining Budget would be expended by mid-August. By his calculations, *a copy of which was included in the agenda*, Mr. Lamy said that approximately \$165,000 would have to be added to the Budget in order to fund fuel costs for the remainder of 2008. He advised that these funds were not available within the current DPW Budget but were necessary for his Department to continue to perform their duties. Mr. Lamy recommended that action be taken by the Committee currently as if the issue was delayed, final approval would not be granted on the transfer until mid-August, when he had estimated that the Gas & Oil Budget would be expended.

Mr. Champagne asked if the remaining funds from the four Capital Projects they had closed could be transferred to cover this shortage as they were roughly the same amount. Joan Sady, Clerk of the Board, stated that the funds could not be transferred immediately because the Capital Projects were appropriated in a reserve; therefore, she said, the Treasurer's Office was required to contact the State Comptroller's Office to determine if the funds could be re-appropriated, which they were doing that day.

Mr. Geraghty, speaking as Budget Officer, made a recommendation that no action be taken on this item until August, when a decision would have been reached as to whether or not the funds from the closed Capital Projects could be used to support the Gas & Oil Budget. He added that DPW operations would not come to a halt as there were funds available in other Budget lines that could be temporarily transferred to cover fuel costs until an alternate source of funding was found.

Discussion ensued.

Motion was made by Mr. Bentley, seconded by Mr. Goodspeed and carried unanimously to approve the request for a transfer of funds in the amount of \$165,000, with the source of funding to be determined, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Proceeding with the agenda review, Mr. Lamy advised that page nine included a request to modify Resolution Nos. 288 of 2008 and 581 of 2006 in order to authorize Niagara Mohawk to supply electrical service to a County traffic control signal being installed at the intersection of Bay, Sunnyside and Moon Hill Roads.

Motion was made by Mr. Stec, seconded by Mr. Champagne and carried unanimously to approve the request to amend Resolution No. 2008 of 2008 and 581 of 2006 to authorize Niagara Mohawk to supply electrical services as outlined above and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy advised that the next several requests pertained to Capital Projects and he asked Mr. Tennyson to present them. Mr. Tennyson directed the Committee to page 13 of the agenda which included a request to increase Capital Project H260.9550 280, Alder Brook Road Bridge, in the amount of \$278,500, comprised of a \$222,800 Federal Share and a \$55,700 Local Share. He explained that no State Marchiselli funding had been pledged for the project; therefore the County was responsible for the entire Local Share, which had been included in the 2008 Budget. In connection with this Project, Mr. Tennyson apprised that page 15 of the agenda included a request for a transfer of funds in the amount of \$55,700 from Code A9950.9, Transfer-Capital Projects, to Code H260.9550 280, Alder Brook Bridge over Trout Brook.

When asked why no State Marchiselli funding had been received for this Project, Mr. Lamy explained that the State did not have enough money available to fund all of the Projects in the year that they were in design or construction; therefore, they would actually submit a request for funding on the Project in the next Budget year. He said that although there was no guarantee, he anticipated that funding would be realized for the Project prior to its completion according to the State's cash flow as it had been for other Capital Projects.

Motion was made by Mr. Bentley, seconded by Mr. Goodspeed and carried unanimously to approve the request to increase Capital Project H260.9550 280 in the amount of \$278,500 as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Motion was made by Mr. Bentley, seconded by Mr. Goodspeed and carried unanimously to approve the request for a transfer of funds in the amount of \$55,700 from Code A9950.9, Transfers-Capital Projects, to Code H260.9550 280, Alder Brook Road Bridge over Trout Brook, to support the Local Share amount of the Capital Project, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson stated that page 16 of the agenda included a request to increase Capital Project H257.9550 280, Padanarum Road Bridge, in the amount of \$106,810, which was comprised of \$21,810 in Federal funding and \$85,000 in State Marchiselli funding with no additional Local Share. He said that this request reflected the additional State and Federal funding received for the Project.

Mr. Lamy pointed out that this was a case in which State Marchiselli funds were granted subsequent to the completion of the Project. Mr. Tennyson added that although the work was finished, the Capital Project would not be closed until they had received and applied all of the additional monies granted.

Motion was made by Mr. Taylor, seconded by Mr. Bentley and carried unanimously to approve the request to increase Capital Project H257.9550 280, Padanarum Road Bridge, in the amount of \$106,810, as outlined above, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that pages 19 and 21 of the agenda reflected requests to authorize the Chairman of the Board to approve Just Compensation amounts for property acquisitions along the Grist Mill and Tannery Road Bridge Projects in the Town of Stony Creek. He explained that property acquisitions had been required for both Bridge Projects and that the Just Compensation figures derived had been based on the uniform appraisal standards of Federal land acquisitions and had been reviewed and verified by an independent reviewer.

Motion was made by Mr. Stec, seconded by Mr. Champagne and carried unanimously to authorize the Chairman of the Board to approve Just Compensation amounts for the Grist Mill Bridge Project and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Motion was made by Mr. Stec, seconded by Mr. Champagne and carried unanimously to authorize the Chairman of the Board to approve Just Compensation amounts for the Tannery Road Bridge Project and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Continuing to the next agenda item, Mr. Tennyson advised that the Middleton Road Bridge over Schroon River, located in the Town of Warrensburg, had received a red flag from the State due to a structural deficiency which had required its closure. He said that the Middleton Road Bridge was included in the County's Transportation Improvement Projects and a consultant was currently on board to provide the design work for the Bridge repairs. Mr. Tennyson said that a Public Hearing to discuss the closure had been scheduled for August 6th at 7:00 p.m. at the Warrensburg Town Hall and would serve as the initial Public Information meeting where they hoped to get feedback from the public and describe the options available for the Bridge. After this meeting, Mr. Tennyson said that they hoped to make an assessment as to whether the Bridge would be replaced or removed permanently. He added that his update was for the Committee's benefit only and required no action.

Concluding the listing of New Business items, Mr. Lamy advised that beginning on page 23 of the agenda he had included a list of conference registration items for the NYSCHSA (New York State County Highway Superintendents Association) Summer Conference, which was being held in Lake Placid, NY on August 24th - 27th. He said that due to the reasonable proximity of the conference to their Offices in Warrensburg, he and Mr. Tennyson had decided that they would travel to the conference each day rather than staying overnight. Mr. Lamy stated that they were requesting reimbursement for tuition and meal expenses; however, he said, they would request no stipend for overnight accommodations. He noted that the funds for the meal and tuition costs were available within the existing DPW Budget.

Motion was made by Mr. Merlino, seconded by Mr. Stec and carried unanimously to authorize Mr. Lamy and Mr. Tennyson to attend the NYSCHSA Summer Highway & Bridge Conference in Lake Placid, NY on August 24th - 27th. *A copy of the Authorization to Attend Meeting or Conference form is on file with the minutes.*

Proceeding to the Topics of Interest portion of the agenda, Mr. Lamy apprised that the CR#44 Bridge over the Hudson River, which connected the Towns of Lake Luzerne and Hadley, had received a yellow flag for structural deficiencies. He advised that he had included a copy of the inspection report, as well as pictures of the damage in the agenda packet. Mr. Lamy said that this Bridge was jointly owned by Warren and Saratoga Counties and in speaking with Joe Ritchie, Saratoga County Superintendent of Public Works, it had been determined that in the past the Counties had alternated the responsibility of acting as lead agency for coordination of the repair projects and it was Warren County's turn to assume these duties. He advised that although no Committee action was currently necessary, he would be returning with a request for an inter-municipal agreement with Saratoga County to fund the repair costs at a future meeting.

Mr. Lamy directed the Committee members to agenda page 30, which reflected a Bid Tabulation Sheet pertaining to auctioneer services provided by Auctions International, Inc. He explained that the original contract term had commenced on August 17, 2007, as authorized by Resolution No. 547 of 2007, which had also included a clause for an automatic one-year extension. Mr. Lamy apprised that because the results received from Auctions International, Inc. had been favorable, they had elected to extend the contract for another year as allowed by resolution for the term commencing August 18, 2008 and terminating August 17, 2009. He noted that no Committee action was necessary for the contract extension.

Concluding the agenda review, Mr. Lamy advised that page 33 included a listing of referral items, which he detailed as follows:

1. With respect to the Corinth Road Reconstruction, Mr. Lamy advised that the ROW (Right of Way) acquisition phase was ongoing and he hoped the Project would remain on schedule with the addition of Mr. Hajos. He said that the County's partner in the Project was the Town of Queensbury and he anticipated that Mr. Hajos would provide continuity between the Town's Project Consultant and the County. Mr. Stec apprised that the Town of Queensbury had recently adopted a resolution allowing them to move forward in engaging with R.K. Hite for the ROW acquisition process necessary for the under-grounding of utilities along the Project route. Mr. Lamy stated the projected construction start date for the Corinth Road Project had been indicated as being the Spring of 2009; however, he noted, there were many factors which could cause delays that would affect this date;
2. The Budget Performance Report was discussed earlier in the meeting;
3. Mr. Lamy stated that the impact to the County resulting from the Queensbury Avenue sanitary sewer district rate increase would be required as part of the determination for his 2009 Budget request and would be completed within the next few weeks;
4. Mr. Lamy said that, as previously noted, they were awaiting work requests from NYSDEC for Scaroon Manor. He said that until a request was made he would not have any further information to present on this item;
5. Regarding the addition of a turning lane on Peaceful Valley Road, Mr. Lamy advised that this work was in progress. He noted that although construction had yet to begin, they expected the work to be completed by the Fall season;
6. Mr. Lamy noted that a decision had yet to be made with respect to the possibility of splitting the

costs of a new truck scale for the Ciba Geigy Property with tenant Perkins Recycling.

Motion was made by Mr. Haskell, seconded by Mr. Champagne and carried unanimously to decline to split the costs of a new truck scale with Perkins Recycling.

7. Mr. Lamy reminded the Committee that discussion regarding the a request from the Sheriff's Office asking that DPW assume vehicle maintenance of Sheriff's vehicles had been tabled pending the receipt of cost implications, which had yet to be received;
8. With respect to the transfer of County-owned property located on Bay Road in the Town of Queensbury, Mr. Lamy advised that the transfer was in progress;
9. Mr. Lamy stated that he had scheduled a meeting with the County Attorney to discuss the status of the NYSDEC violation citations at the North Creek fuel farm, pursuant to which NYSDEC would be contacted.

Mr. Belden noted that at a recent meeting of the Real Property Tax Services Committee a listing of County-owned properties had been distributed. He said that the listing had shown a 65-acre parcel in the Town of Lake George which had been listed as a pit location and he asked if this was still in use. Mr. Lamy replied that he believed that the property Mr. Belden referred to was the Toney Pit which was still actively used and housed a building for material and equipment storage, as well as a DPW crew that worked from that location.

Mr. Belden then noted that there had been some indication that the timber located on the Toney Pit parcel might have a monetary value and he suggested that an appraisal be conducted to determine this. Mr. Lamy responded that Forestry personnel had been contracted by the County previously to evaluate the value of timber on County-owned property within recent years, at which time it had been determined that the timber had no significant value. Mr. Haskell confirmed this statement.

Mr. Haskell stated that the company that had been contracted to paint County roads had done so in one instance without marking the roads which had led to damage of the vehicle owned by a resident of the Town of Thurman. He noted that this incident had occurred in May and since that time the resident had received no response from the Company as to her claim. Mr. Haskell said that he found this very upsetting as there was no question that the incident had occurred due to the negligence of the painting company and even more troublesome that no response had been received with regard to the matter. He suggested that the County consider contracting with another painting company for these services due to such lack of responsibility. Mr. Belden asked Mr. Lamy to contact the road painting company to determine the status of this issue.

Secondly, Mr. Haskell apprised that the Town of Thurman's Highway Superintendent was very upset due to an issue with culverts draining water from County roads. He said that when re-paving a Town road, a request had been made for the County to install a new culvert at the intersection of a Town and County road, as the Town's Superintendent had assumed this was the County's responsibility as the purpose of the culvert was to drain water from a County road. Upon making such request, Mr. Haskell stated that the Town Superintendent was advised that the County would not replace the culvert as it was the Town's responsibility. He said that the Town had never had this problem before and he asked if this was a new County procedure and, if so, he felt that it was not exactly fair because the culvert was being used to drain water from the County highway. Mr. Lamy responded that it would be a tremendous expense to the County if they were expected to fund all of the culverts at intersections of Town and County roads. He stated that the County had no need for culverts along their roads, except for at those

intersections with roads which existed prior to the addition of the County road; therefore, he said, the County should not be responsible for those necessary where Town roads constructed subsequent to the County road intersected. Mr. Lamy advised that this determination had been made in an effort to preserve the County Budget and he noted that if the Committee determined otherwise, the DPW Budget would have to be increased considerably to cover expenses and materials for such work.

Mr. Haskell asked if culverts were added by the County for the driveways of new housing along County roads and Mr. Lamy replied in the negative. He added that the same rule was applied for the addition of Town and private roads along County Highways. Mr. Lamy said that it was his feeling that the culvert Mr. Haskell questioned was the responsibility of the Town of Thurman and not the County. He pointed out that a similar situation had arisen in the Town of Queensbury on Wincrest Drive and had been ongoing for the past two years; however, he noted a culvert had not been installed by the County as he did not feel it was their responsibility. Mr. Dusek advised the Committee that he had rendered a legal opinion on the Wincrest Drive matter in which he had stated that the culvert issue was the responsibility of the Town of Queensbury.

Subsequent to discussion on the matter, it was the consensus of the Committee that the advisement of the County Attorney should be followed and that the culverts should be installed and maintained by the Towns when intersecting with County roads.

Mr. Stec advised that he had recently received a letter from residents on Meadowbrook Road regarding the planned planting of trees as a headlight screening barrier. The resident had requested that the same number of trees be planted but in a different formation in order to widen the existing berm and appropriately screen their houses from the headlights of oncoming traffic, he explained. Mr. Stec said that the change would most likely require a crew to move more dirt and widen the berm for the new planting arrangement. Mr. Lamy stated that he was unsure if this would cost more than the original plans and would have to speak with his Highway Manager to determine if the project costs would change and if additional funds were available within the existing Budget to alter the Project plans. Mr. Belden asked that Mr. Lamy work with Mr. Stec to determine if the changes would affect the project costs, and if so, whether the funds were available within the DPW Budget.

Mr. Goodspeed thanked Mr. Lamy for the changes to his agenda and he noted that he felt the meeting had moved along more quickly due to these efforts.

As there was no further DPW business to come before the Public Works Committee, privilege of the floor was extended to Don DeGraw, Airport Manager, who distributed copies of the Airport agenda to the Committee members. *A copy of the Airport agenda is on file with the minutes.*

Motion was made by Mr. Tessier, seconded by Mr. Taylor and carried unanimously to approve the minutes from the June 11, 2008 Public Works (Airport) Committee meeting, subject to correction by the Clerk of the Board.

Beginning the agenda review with the New Business section, Mr. DeGraw advised that Item 2A pertained to the closing of Capital Project H203.9550 280, Airport Obstruction Analysis, which had been addressed previously in the DPW portion of the Committee meeting. Moving on to Agenda Item 3, Mr. DeGraw stated that the agenda included a request to amend the contract with C&S Engineers in the amount of \$10,500 to provide additional services related to the replacement of VASI's (Visual Approach Slope Indicator) with PAPI's (Precision Approach Path Indicator). He said that the additional costs would cover the final design and bidding phase of the project and would be covered by grant funds.

Motion was made by Mr. Tessier, seconded by Mr. Merlino and carried unanimously to approve the request to amend the contract with C&S Engineers in the amount of \$10,500 as outlined above and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Mr. DeGraw advised that Agenda Item 4 referred to a request made by the Committee during their previous meeting that he contact the Town of Queensbury to review project plans for properties surrounding the Airport to determine if they might have any effect on future expansion or operations at the Airport. He said that pursuant to his research, he had found that only the previously known plans for a big box store on property owned by Vic Macri on Quaker Road had been filed with the Town of Queensbury. Mr. DeGraw stated that Mr. Macri owned a second parcel abutting the northern boundary of the Airport property which had also been of concern; however, he said, no plans for construction on this parcel had been provided as of yet. He apprised that he had submitted a letter of interest to the Town of Queensbury indicating some of the issues that the Airport might have with projects on Mr. Macri's northern parcel.

Discussion ensued.

Proceeding to Agenda Item 5, Mr. DeGraw advised that the ESMI t-hangar being built on Airport property would be identical in color to the existing maintenance hangar built by the County. He said that he wanted to be sure that the Committee was agreeable to the color scheme being used and that he had more information regarding the issue on hand if any of the Committee members were interested in reviewing it.

Mr. DeGraw stated that Agenda Item 6 consisted of a review of the status of State grant funding for a self-fueling facility at the Airport. He explained that the County had entered into a grant agreement with the State some years ago for the self-fueling facility, which had expired on April 1, 2006. Mr. DeGraw stated that the County had used \$13,339 of the \$75,000 grant to fund engineering fees for the design of the facility; however, he said, it had not been completed as costs in excess of \$100,000 would be incurred to produce the facility. He said that he felt the County now had three options in which to proceed, which were as follows:

1. Use the remaining \$60,000, along with additional County funds, to complete the project;
2. Close the project and return the unused funds, along with a County re-payment of the \$13,339 used, to the State;
3. Apply in the next cycle of State funding for phase two grant monies to complete the project.

Mr. DeGraw stated that because the original grant had expired, he would be required to apply to the State for the grant to be re-opened, which he felt could be accomplished. However, he noted, if the Committee chose to proceed with the third option and the phase two funding was denied, the County would be left only with the choices of either finishing the project with the balance being contributed by County funds or by returning the total grant amount to the State, which would require that the County refund the grant monies used.

Mr. Monroe noted that the FBO (Fixed Base Operator) of the Airport received the majority of the income from fuel sales and he asked what benefits the self-fueling facility would present to the County. Mr. DeGraw replied that self-fueling facilities were becoming standard and fuel sales were likely to increase with its implementation due to the constant availability of fuel, as well as the convenience to the user. In addition, he noted, the self-service nature gave the FBO the opportunity to reduce gas prices which would also increase fuel sales. Mr. DeGraw summarized that the self-fueling facility was actually a convenience to the users, as well as to the FBO, because it allowed FBO staff to perform other duties. Mr. Monroe asked if the FBO would control the self-fuel station and receive the profits

and Mr. DeGraw replied affirmatively, adding that the County received a percentage of all fuel sales.

Mr. Taylor suggested that they begin seeking the phase two funding before deciding in which direction to proceed.

Motion was made by Mr. Champagne, seconded by Mr. Taylor and carried unanimously to seek out phase two State grant funding for the self-fueling station.

Mr. Lamy apprised that the final New Business item pertained to necessary funding for the upcoming Adirondack Balloon Festival. He directed the Committee members to page three of the Budget Performance Report, which had been distributed during the DPW portion of the Committee meeting. He advised that under Code 120, Salaries-Overtime, \$46,933 had been included in the 2008 Budget, while \$70,348 had been expended in 2007; he noted that as per these figures, approximately \$25,000 in additional funding was needed to cover the DPW and Airport staffing costs to administer the Balloon Festival. In addition to this figure, Mr. Lamy noted that \$8,000 would be required to fund the costs of portable restrooms and light towers, leading to a total of \$33,000 to fund the event. He advised that he had been unable to identify any other source of funding for these costs within the existing Airport Budget.

Mr. Belden stated that because the Balloon Festival was a special event, funding for it should be provided from the Occupancy Tax fund. Mr. Haskell advised that this matter had been discussed by the Occupancy Tax Committee and it had been determined that Occupancy Tax funding was not available to cover salaries and that the Adirondack Balloon Festival organizers would be required to apply for Occupancy Tax funding as every other organization receiving funding was required to do.

Discussion ensued with respect to the matter.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve a transfer of funds in the amount of \$33,000 to fund the costs of the Adirondack Balloon Festival, with the source of funding to be determined, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Motion was made by Mr. Haskell, seconded by Mr. Belden to request that the Chairman of the Board appoint a sub-Committee to work with the Adirondack Balloon Festival Committee to discuss ways to possible revenue sources for the 2009 event. *Note: Subsequent to the meeting, Messrs. Tessier, Stec and Taylor were appointed to the sub-committee by Chairman Monroe.*

Concluding the agenda review, Mr. DeGraw addressed the listing of referral items which he detailed as follows:

1. Referring to legal action to determine the validity of an easement on the Chartrand parcel, Mr. DeGraw advised that no further action had been taken on this matter;
2. Mr. DeGraw advised that they intended to design the plans for a washpad at the Airport in-house and anticipated a \$50,000 cost for the project which would be included in his 2009 Budget request;
3. Mr. DeGraw stated that the RFP (Request for Proposal) for the expiring FBO contract was complete and would be mailed that day. He said that the RFP language had been updated to include increased insurance requirements and the bid opening was scheduled for July 31, 2008. Mr. DeGraw noted that the financial information included in the RFP had been left blank so that applicants could enter their own figures into the proposal when responding;
4. Referring to the appointment of a representative to the NYSAC (New York State Association of Counties) Public Safety Committee, Mr. Lamy stated that he had not yet determined who would be

- chosen, but said that he was considering the matter and would present his recommendation to the Committee at a future meeting;
5. Mr. DeGraw stated that he had no new information on the placement of the Fire Training Center but noted that a special meeting of the Public Works and Public Safety Committees was scheduled for later in the day;
 6. Referring to a request that he research documentation supporting a lower lease rate for the ESMI Flight Services lease of Airport property, Mr. DeGraw stated that this item had already been addressed and could be removed from the referral list;
 7. The request for Mr. DeGraw to visit the Town of Queensbury to determine the affect of proposed projects on property surrounding the Airport was discussed earlier in the meeting;
 8. Mr. DeGraw advised that the request received from Bushwhacker Aircraft Company, LLC to temporarily lease an unused building on the County-owned Fischer Farm had been put on hold as it had been determined that the expenses that would be incurred to prepare the property for leasing would outweigh the revenues received. He noted that this item could be removed from the referral list.

Regarding the addition of private t-hangars on property leased from the County, Mr. DeGraw apprised that pursuant to previous discussions with the former Airport Manager, one of the lessees of Airport property, Kim Lussier of the FBO and L.S.L. T-Hangars, LLC, had felt that his hangar area would be paved, as it had been for the Schermerhorn hangars and he wanted to determine if this was the intention of the Committee. Mr. Lamy advised that he would defer this matter to the Committee as the Schermerhorn t-hangars had been constructed prior to his involvement with the Airport.

Mr. Dusek stated that although he was not aware of the background on the lease agreement for L.S.L. T-Hangars, LLC, he did know that paving services had been provided in connection with the Schermerhorn hangars; however, he noted, there would not be any paving services provided for the ESMI t-hangar project which was also currently being done, so it seemed that there was not a set precedent in place.

Mr. Lussier advised that during September of 2007 discussions had been held with Marshall Stevens, former Airport Manager, wherein L.S.L. T-Hangars, LLC had expressed that they sought the same paving allowances included in the Schermerhorn t-hangar project and it seemed that those conditions had been agreed to. He added that the L.S.L. T-Hangars, LLC project plans had been based upon the County providing the paving services pursuant to these discussions.

Mr. Belden asked what the projected paving costs would be and Mr. DeGraw replied that he did not have an exact figure for the area to be paved and therefore could not estimate a cost. However; he noted, the area requiring paving was as large or larger than the area paved for the Schermerhorn t-hangar project.

Discussion ensued.

When asked if the paving project would be required within 2008 Mr. Lussier replied in the negative, stating that due to the status of the project, he did not feel that it would be completed prior to 2009.

Mr. Belden asked Mr. Lamy and Mr. DeGraw to work together in determining the paving costs for the project for presentation to the Committee at their next meeting.

Nicholas Caimano, Member of the Warren/Washington County IDA (Industrial Development Agency), addressed the Committee, advising that he had received a complaint from a frequent visitor of the Warren County Airport. He explained that Bill Hudson, owner of Hudson Converting, landed at the Airport about once per week and purchased approximately \$1,200 to \$1,500 in fuel on each visit. Mr. Caimano said that apparently Mr. Hudson had recently been charged a \$75 landing fee and when questioned about this charge was told that it was a standard charge that would continue to be assessed. He further explained that when Mr. Hudson had asked if he could place \$1,000 in an account to provide for these fees rather than paying on each visit, he was told that it could not be done.

Mr. Caimano said that when this issue was brought to Mr. DeGraw's attention, he had immediately contacted Mr. Hudson to apologize for the inconvenience on behalf of the County. However, he stated, as they were constantly trying to bring business to the County he did not think this was a way to treat a good customer and, as a previous member of the Board of Supervisors, he did not recall that a resolution had ever been adopted to approve a landing fee. Additionally, Mr. Caimano stated that the Saratoga County Airport charged only a \$25 landing fee and he did not think that it was good business practice to turn away \$1,200 to \$1,500 in fuel sales weekly over a much smaller fee.

Mr. Tessier stated that most Airports charged a landing fee which was waived if gasoline was purchased from that location. Mr. Lussier, speaking on behalf of the FBO, stated that a \$75 ramp fee was charged for commercial operations and he noted that, as per the lease agreement with the County, the FBO was not authorized to charge a landing fee. He added that the aircraft referred to by Mr. Caimano did not visit the Warren County Airport as often as he had indicated, but rather flew in about six times per year. Furthermore, Mr. Lussier stated, the \$75 fee had been charged for the past three years as it helped increase revenues to the FBO, of which the County received 3%. He advised that he had declined to hold Mr. Hudson's money for ramp fees as there would be overages that would have to be held in an escrow account and if this was done for one patron, the service would have to be offered to all, leading to an unnecessary increase in responsibilities.

Discussion ensued.

Mr. Champagne stated that while he would like to make every possible effort to accommodate Airport visitors and increase revenues, he felt that Mr. Lussier knew this area of the business better than anyone and the matter should be left to his discretion. Mr. Goodspeed said that he agreed with this statement and added that it seemed that the ramp fee was in accord with other Airports. Because there had only been one complaint in three years, Mr. Goodspeed stated that the fee system should be left as it was. Mr. Stec advised that he also agreed with these opinions.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to take no action on this matter and to leave the ramp fee as it was.

Mr. DeGraw left the meeting at 11:19 a.m.

As there was no further Airport business to come before the Committee, privilege of the floor was extended to Mr. Lamy to begin the Warren County Sewer portion of the Public Works Committee meeting. Mr. Lamy distributed copies of the Warren County Sewer agenda, a copy of which is on file with the minutes.

Beginning the Old Business portion of the agenda review, Mr Lamy updated that Committee on the status of the bid process for work required at the Town of Bolton Wastewater Treatment Plant. He apprised that they had

submitted information to the EPA (Environmental Protection Agency) in connection with a request for a categorical exclusion for the pump station and force main work. Mr. Lamy said that in response to the request, the EPA had requested additional information, which C.T. Male was in the process of preparing for submission. He advised that once the categorical exclusion was acted upon, C.T. Male would be given authorization to provide plans and specifications for the project. Mr. Lamy stated that it was his hope that the EPA would act quickly upon their request once the additional information requested was received; however, he said, it was doubtful that construction on the project would begin prior to 2009. He advised that the cost of the project was approximately \$500,000, which would be funded by monies allocated to the Town of Bolton for this purpose. Mr. Lamy stated that rehabilitation work on the trickling filter and trickling filter building were near completion. He said that the filter media and a rotary distribution arm on the trickling filter had been replaced and they were currently working on repairs to the siding, roof and trusses of the building.

Moving on the New Business section of the agenda, Mr. Lamy presented a request for a transfer of funds in the amount of \$400,000 to cover the majority of the Local Share of the Lake George Basin Sewer Project. He explained that an additional \$100,000 was necessary to complete the Local Share, which he had held back in the Capital Project to see how the remainder of the year progressed. Mr. Lamy stated that he was working on full accounting of the status of grant monies, Local Share monies and ineligible expenses, which he would present at a future meeting.

Motion was made by Mr. Champagne, seconded by Mr. Haskell and carried unanimously to approve the request for a transfer of funds in the amount of \$400,000 from Code A9950.9, Transfer-Capital Projects, to Code H166.9550 280, Lake George Basin Sewer, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Lamy stated that his next request was to delete Alternate #2 from the existing contract with Over & Under Piping, at a value of \$177,834. He explained that this portion of the contract had been intended to put a cover over the trickling filter located in the Village of Lake George, and because the Contractor had issues with two Sub-Contractors they had been unable to find anyone to furnish the cover. Mr. Lamy said that this would complete the County's involvement with the project and was a no cost item to the County. Pursuant to discussion with the County Attorney, Mr. Lamy apprised that it had been determined that action was necessary to support a change order between the County and the Contractor to delete this item. He noted that a letter supporting the resolution was included in the agenda.

Motion was made by Mr. Champagne, seconded by Mr. Haskell and carried unanimously to approve the request to delete Alternate #2 from the existing contract with Over & Under Piping as outlined above and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Belden advised that a bid opening had recently been held for the Town of Hague No.2 Sewer Extension and it was their hope that a Contractor would be brought on board to finish the project. Mr. Lamy replied that the Committee and the Board of Supervisors had already adopted a resolution allowing the Chairman of the Board to enter into a contract for the matter. He said that the bid numbers received would have to be relatively close to the current level of funding, at which point CHA, would review the bids to be sure they were appropriate and would then forward the documents to the EPA who would review them for approval. Mr. Lamy added that the contract would not be awarded without EPA approval; however, he said, they had received favorable results from the EPA on such matters in the past. Mr. Lamy stated that if the bids received were appropriate to the Project budget, construction could begin by early September. He advised that if the bid figures received were not within the amount

of funding available, the Town of Hague would then need to make a decision as to how the Project could be reshaped to meet the available Budget.

As there was no further Sewer business to come before the Public Works Committee, privilege of the floor was extended to Paul Butler, Director of Parks, Recreation and Railroad, to begin the Parks, Recreation & Railroad portion of the Committee meeting. Mr. Butler distributed copies of his agenda to the Committee members, a copy of which is on file with the minutes.

Before beginning the agenda review, Mr. Belden stated that although the Capital Project was called the Rail Stations Improvement Project, they were actually building platforms for the train, rather than stations. He said that he just wanted to make this perfectly clear as recent newspaper articles indicating that stations were being constructed had lead to numerous phone calls questioning what was actually being built.

Mr. Butler began the agenda review with Item 1A, pertaining to the bids received for the Rail Station platform construction. He explained that a summary of the bids was included in the agenda outline, while copies of the actual bids were included in the agenda packet. Mr. Butler advised that Mr. Lamy would make a presentation on the project costs, subsequent to which the Committee would be asked to make a decision on the direction of the Rail Station Improvement Project.

Mr. Lamy advised that because the Project was running short of money, a conference call had been held between himself, Mr. Butler and Rick Loewenstein, of CHA, to discuss how best to complete the job. He said that although it had previously been indicated that they could use the services of Fred Austin, Building Project Coordinator, to provide construction inspection services for the Rail Station Project, after reviewing the requirements and the level of effort that would be needed, Mr. Austin had said that he was not in a position to provide these services. Mr. Lamy added that Mr. Austin had not realized that he would be working so many hours on this particular job, and felt that it was not something that he could do as part of his current position with the County and this left a need for construction inspection services. He noted that Mr. Loewenstein was present at the meeting as per his request and he wanted to make very clear that CHA was not soliciting a contract for construction inspection services. Mr. Lamy stated that in his opinion the construction inspection was one of the most important aspects of any construction job as although one could have the best laid plans, if they were not implemented properly it could lead to increased construction costs. He noted that this particular project must follow detailed requirements of NYSDOT (New York State Department of Transportation) and regardless of the fact that project funds were running low, it was his recommendation that they contract with CHA for construction inspection services to ensure that the work was being done correctly and according to NYSDOT procedures in order to avoid jeopardizing any grant money.

Mr. Belden reminded the Committee that Mr. Hajos, the recently hired Senior Civil Engineer, was a former CHA Project Engineer and he asked if they could assign the construction inspection services to Mr. Hajos, rather than contracting with CHA, to save the \$68,500 estimated for these services. Mr. Lamy replied that when he had come to the Committee requesting additional engineering staff, this had not been a part of the duties outlined and, therefore, had not been accounted for. He stated that the projects that would be at risk by diverting Mr. Hajos' responsibilities to cover inspection services for the Rail Station Project included the Corinth Road Project, several bridge projects and the electrical services issues in the Municipal Center to name a few. Mr. Lamy added that any further delays in the larger projects, such as the Corinth Road Project, would lead to significant cost increases for the County and there were no further grant funds available to fund them. In addition, he noted that there were 500 or more people in the Municipal Center each day and by neglecting the electrical issue they were in jeopardy of facing another Building closure. Mr. Lamy stated that they also had two different bridges that had been closed due

to a need for repairs which were affecting the flow of traffic. He said that there were infrastructure needs within the County which were impacting the workforce and he did not see where the Rail Stations had any affect on the traveling public or were a safety issue. Mr. Lamy concluded that he highly recommended that they use Mr. Hajos' services where they were needed, rather than putting him on the Rail Station Project.

Wayne LaMothe, Deputy Director of Planning & Community Development, entered the meeting at 11:36 a.m.

Mr. Belden then asked how long the platform construction would take and Mr. Loewenstein replied that they anticipated the start of the project to be in September, and accounting for a delay in work through some of the winter months, he estimated that it would be completed in the Spring of 2009. Mr. Belden asked if the \$68,500 estimated would fund a full-time construction inspector for the duration of the project and Mr. Loewenstein replied in the negative, advising that this was for part-time construction inspection. Mr. Loewenstein apprised that if County forces were used to perform the bulk of inspection activities, CHA would still supplement these efforts with specialty inspections as well as to assist with paperwork. He said that a budget of approximately \$25,000 would be put in place to assist the County with inspections as needed.

Mr. Geraghty stated that he felt the costs estimated for the entire Project were exorbitant and he asked who had inspected the plans for the platforms to be sure that the County was getting exactly what they had envisioned. Additionally, he expressed his feeling that the \$68,500 fee for construction inspections over a four-month project also seemed very high and he questioned whether or not there was anyone on staff who was available to provide these inspections at a lower cost. Mr. Loewenstein replied that they had budgeted the project for staffing as per the NYSDOT "cost plus fixed fee" standard, which required that the County pay commensurate with the level of personnel provided. He said that the Project budget had been derived using figures for senior level staffing as they did not know who would be on site during the Project's procession.

Mr. Belden asked if it was possible for County staff to provide the electrical services needed in order to reduce the project budget and Mr. Lamy replied that this was a possibility, although he said he wanted to discuss this with his staff prior to making any determinations on the matter. Mr. Lamy noted that the \$30,128 bid for electrical contracting included the costs of necessary parts, which would still have to be funded if County staff provided the work.

Mr. Belden then asked if the \$90,000 Planning Grant listed in the Project costs breakdown was guaranteed and Mr. LaMothe replied that as per the grant award notification recently received, the \$90,000 grant for Hadley Station site improvements was part of the items funded in the recent \$505,000 grant award through the NYS Local Waterfront Revitalization Program. He noted that the funds were part of a reimbursement program and the County would have to bear the expense up front. Mr. LaMothe stated that although a written contract guaranteeing the funds had yet to be received, he felt that he would have a definitive answer on the availability of the funding prior to the July 18th Board meeting. *Note: Subsequent to the meeting Mr. LaMothe received a guarantee for the \$90,000 reimbursement grant from the State.*

Mr. Lamy pointed out that there would be sufficient funds in the existing Capital Project to fund the platform construction at the Hadley and Thurman sites, as well as the \$68,500 CHA construction inspection costs, provided that the \$90,000 Planning grant was received. However, he noted, there would be insufficient funds in place to cover contingency costs caused by changes in onsite project plans. Mr. Lamy added that CHA had recommended that 3%, approximately \$40,000, be retained for contingency costs.

When asked if the County was legally required to maintain funds for contingency costs, Mr. Lowenstein replied in the negative, advising that this was just good business practice.

Discussion ensued with respect to the matter.

Mr. Haskell stated that he felt that the County should contract with CHA for construction inspection services; however, he said, he was not in favor of adding additional funds to the Capital Project to cover contingencies.

Motion was made by Mr. Haskell, seconded by Mr. Goodspeed and carried by majority vote, with Messrs. Belden and Taylor voting in opposition, to accept the low bids from Mercer Construction, for General Contracting services, and Hour Electric, for Electrical Contracting services, in relation to the Rail Stations Improvement Project, contingent upon the receipt of the \$90,000 Planning grant, and the necessary resolutions were authorized for the July 18th Board meeting.

Motion was made by Mr. Haskell, seconded by Mr. Goodspeed and carried by majority vote, with Messrs. Belden and Taylor voting in opposition, to authorize a supplemental agreement with Clough, Harbour & Associates, LLP for construction inspection/supervision/administration services in connection with Capital Project H890-220, Rail Station Improvements, pending the receipt of the \$90,000 Planning grant, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Belden noted that he had voted against both motions as he did not agree with moving forward on the projects without contingency monies.

Mr. Goodspeed stated that a recent article in *The Post Star* had condemned the Board of Supervisors for supporting the Rail Station Improvements Project from the beginning, and it listed all of the reasons why the writer felt that the Project had failed. He said that he felt this was an overly simplistic view of the matter, as this was one of the most frustrating Projects he had been involved with as it had not run smoothly and had been a bureaucratic nightmare, raising many cost issues which were concerning. Although *The Post Star* article made the Project seem a total failure, Mr. Goodspeed pointed out that in 2006 over the seven-day period during which the Thomas the Tank Engine event was held, nearly 18,000 people visited the Town of North Creek to partake of the attraction, which was certainly a success. He said that the article had also criticized the fact that skiers were not flocking to the North Country via the train, which was one of the most ludicrous statements he had ever seen in print as the train was not yet connected to the Metropolitan area. Mr. Goodspeed stated that in publishing this article, *The Post Star* had diagnosed the Project as a failure before it had even been completed. He said that although it was a terrible time to be faced with the project's monetary needs in light of the current budget issues, there were pros and cons to the project and *The Post Star* had done it a disservice by painting the Project in such a negative light as there were signs that the area would prosper from economic development once the project was complete.

Mr. Haskell agreed with Mr. Goodspeed's comments and he added that although attendance figures had decreased slightly in the second year of the Thomas the Tank Engine event, as they would with any new event, he deemed it a success as he never would have dreamed that tour busses full of people would come to the Town of Thurman to see any event. Mr. Merlino stated that he too agreed with these comments and he apprised that when the train traveled from the Town of Hadley to the Town of Corinth the train had been full of residents interested in riding the train, which *The Post Star* would have known first hand, had they not declined his invitation to cover the event.

Resuming the agenda review, Mr. Butler advised that Item 2 referred to a request to authorize a new snowmobile

license agreement between Warren County and the Lyme Adirondack Timberlands II, LLC for trails in the Town of Hague. He stated that the contract costs had risen by 4% from the 2007 contract to total \$3,120.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to authorize a new contract with Lyme Adirondack Timberlands II, LLC in the amount of \$3,120 as outlined above and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler apprised that Agenda Item 3 pertained to a request for permission to accept equipment donations from the Glens Falls City School District through the 21st Century Community Learning Centers Grant, in which the Up Yonda Environmental Farm was a partner.

Motion was made by Mr. Bentley, seconded by Mr. Haskell and carried unanimously to authorize the acceptance of equipment donations from the Glens Falls City School District as outlined above and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the request is on file with the minutes.*

Proceeding to Agenda Item 4, Mr. Butler advised that the bid opening had been held for services related to the installation of a railroad crossing signal at the Antone Mtn. Road crossing. He explained that only one bid had been received, from W.J. Riegel & Sons, a copy of which was included in the agenda. Mr. Butler stated that he had spoken with Jack Kelley, representative of the Town of Corinth in matters concerning the railroad, regarding the issue and had been advised that once W.J. Riegel & Sons had officially contracted with the Town of Corinth as an operator along their railway, he would discuss with them the possibility of installing the signals for the previously quoted \$15,000.

Mr. Merlino reminded the Committee members that in a previous meeting John Riegel of W.J. Riegel & Sons and the Upper Hudson River Railroad (UHRR), had indicated that the signal could be installed for approximately \$15,000, a cost that the Town of Corinth and Warren County had agreed to split evenly. He then expressed his frustration in the fact that pursuant to Municipal Law, a bid process had been required for the work, the implications of which had caused their bid to be more than twice the price originally estimated.

Mr. Riegel advised that his bid for the project had included expenditures for prevailing wage rates, as required by the bid process, and had included allowances for incomplete job and engineering descriptions, as well as contingency costs for boring conduit under the existing road. He said that they had no knowledge of whether or not the existing cable was functional and had to require funding in the bid for that aspect also. Mr. Riegel stated that all of these factors had been taken for granted in estimating the initial project price of \$15,000.

Mr. Belden asked if the funds to cover the costs of the signal installation were available within the existing Parks, Recreation & Railroad Budget and Mr. Butler replied in the negative. Mr. Butler stated that the \$7,500 originally pledged to split the initially estimated costs of \$15,000 for installation of the signal was in the Budget and would still be required by the Town of Corinth if Mr. Kelley was able to proceed with his plan to have the work completed by W.J. Riegel & Sons after the operator contract was established.

Mr. VanNess entered the meeting at 12:06 p.m.

Mr. Riegel stated that they were currently negotiating their operating agreement with the Town of Corinth and hoped that the contract would be in place within a month. He explained that once the operating contract was in place, the work could be completed under a force account basis which would bring the scope of work back to the

\$15,000 originally estimated.

Motion was made by Mr. Haskell, seconded by Mr. Goodspeed and carried unanimously to table discussions on the installation of a rail crossing signal at the Antone Mtn. Road crossing pending further information from the Town of Corinth as to whether this project could be completed for the \$15,000 originally estimated.

Moving to Agenda Item 5, which pertained to the sale and removal of the Biondi Building, Mr. Butler advised that no bids for this work had been received and Committee direction was required as to how they should proceed. Julie Pacyna, Purchasing Agent, apprised that because the removal of the Biondi Building had not been included as part of the Rail Station Improvement Project bids, the removal had to be bid separately. She noted that it was her understanding that the platform construction would be impacted if the Biondi Building was not removed prior to its beginning.

Mr. Merlino advised that there had been a person willing to remove the Biondi Building at no cost to the County; however, due to the stringent requirements and restrictions indicated in the bid process, that person had been unable to comply and declined to remove the building. He again stated his frustration in the fact that because Municipal Law required such actions, additional taxpayer funds would have to be used to remove the Biondi Building in order to proceed with the Project.

Mr. Butler apprised that the Biondi Building had to be removed no later than August 1st and its foundation no later than August 15th for the Project to proceed on schedule.

Discussion ensued with respect to the matter.

Mrs. Pacyna pointed out that even if the removal project was put back out to bid, the specifications could not be changed as insurance and prevailing wage rates were required due to the sources of grant funding being used for the Project.

Mr. Belden asked if the Biondi Building could be given to another Town under an inter-municipal agreement and Mr. Dusek advised that it could, provided that the Town had the ability to remove the building using only their own employees.

Mr. VanNess suggested that there might be some interest in the demolition of the building for scrap metal value. Mrs. Pacyna advised that she had received a call from an interested party to this effect; however, she said, the bid had not been for this type of work. She added that there might be more interest in a bid for demolition of the Biondi Building, although it might cost the County more money to proceed in this matter.

Motion was made by Mr. Haskell, seconded by Mr. Goodspeed and carried unanimously to authorize an RFP for the demolition and removal of the Biondi Building.

Mr. Butler stated that Agenda Item 6 referred to the Thomas the Tank Event and he apprised that Mr. Riegel would update the Committee on the results of the 2008 Event, as well as their plans for 2009.

Mr. Riegel advised that the 2008 Thomas the Tank Event had been attended by 8,881 visitors over the two weekends it was held. He said that they felt this was a very successful turnout, regardless of the fact that they had decided to hold the event for one day less than it had been held in 2007. Mr. Riegel stated that without the \$1 per

ticket reprieve given by the County the event would not have been successful and for that they thanked the County and hoped that the same allowance would be made for 2009. He said that although attendance figures were declining, Hit Entertainment, the owners of Thomas the Tank, were interested in returning for the event in 2009. Mr. Riegel advised that he had not received any negative feedback pursuant to the event and believed that the business owners and residents of the Town of North Creek were also happy with the influx of visitors. Once again, he thanked the County for their assistance during the course of the event and asked the Committee for their consideration in allowing the \$1 per ticket reprieve for the 2009 event.

Mr. Riegel introduced Cliff Welz, of UHRR, to discuss their operation scheduled for 2008. Mr. Welz advised that the schedule did not include any runs to Hadley for 2008; however, he said, there would be special events which would run to that destination. He said that they would offer a round-trip train ride from Hadley to North Creek three times during the season and that any special events would be advertised by radio, television and via the UHRR website. With respect to the recent negative articles in *The Post Star* regarding the Railroad Project, Mr. Welz noted that significant improvements had been made in the areas through which the train ran, and he distributed pictures of the North Creek Station as it stood in 1989 and another of it currently. He said that the pictures reflected considerable improvement since the Project's beginning and he commended the Committee for their efforts. He added that the Committee should be proud of their accomplishments and he hoped to see the same improvements at the Station locations in the Towns of Thurman and Hadley.

Concluding the agenda review, Mr. Butler reviewed the listing of referral items pending from prior Committee meetings, which he detailed as follows:

1. The status of the Biondi Building was discussed previously in the meeting;
2. Mr. Goodspeed's discussion with Barton Mines to determine their interest in purchasing the rail line from NL Industries was discussed during the DPW portion of the meeting;
3. With respect to negotiations with OSI (Open Space Institute) for use of the Kellogg Property, Mr. Butler replied that he had received no further information on this matter, which remained in the hands of the County Attorney's Office. Mr. Goodspeed stated that he had received no further information on the status of the agreement; however, he said, he had been contacted approximately six weeks prior for verbiage in terms of the restrictions that would be included in the agreement;
4. Regarding the presentation of a proposed plan and budget for a covered railroad platform at the 1,000 Acres Resort, Mr. Butler apprised that a meeting had been held at the site and he continued to work on the issue. He said that he had no update currently and that he would formally present the figures and plans at the next Committee meeting;
5. Mr. Butler stated that he had spoken with pertinent representatives and was advised that the announcement on the NYS Grant Program and Bond funding streams for railway improvements was imminent. He said that as soon as the information was received on funding sources he would bring it to the Committee's attention.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Haskell and seconded by Mr. Champagne, Mr. Belden adjourned the meeting at 12:24 p.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist