

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS (PARKS, RECREATION & RAILROAD)

DATE: DECEMBER 11, 2008

COMMITTEE MEMBERS PRESENT:	OTHERS PRESENT:
SUPERVISORS BELDEN	REPRESENTING THE DEPARTMENT OF PUBLIC WORKS:
BENTLEY	WILLIAM LAMY, SUPERINTENDENT
TESSIER	REPRESENTING THE PARKS, RECREATION & RAILROAD
STEC	DEPARTMENT:
MERLINO	PAUL BUTLER, DIRECTOR
CHAMPAGNE	FREDERICK MONROE, CHAIRMAN
TAYLOR	HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL
GOODSPEED	SERVICES
	JOAN SADY, CLERK OF THE BOARD
VACANT: TOWN OF	KEVIN GERAGHTY, BUDGET OFFICER
THURMAN	SUPERVISOR STRAINER
	SUPERVISOR THOMAS
	ALYSON MARTIN, <i>THE POST STAR</i>
	JONATHAN ALEXANDER, <i>THE ADIRONDACK JOURNAL</i>
	CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Belden called the meeting of the Public Works Committee to order at 12:03 p.m.

Privilege of the floor was extended to William Lamy, Superintendent of the Department of Public Works (DPW), who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Lamy stated that the first item pertained to the change order for slip-lining the culvert at the Thurman Station which had been discussed at the previous Committee meeting. He said that they had been directed to present the change order to the Committee once a final price had been determined. He added that following the meeting, Mr. Merlino had visited the site and it had been determined that in order to provide trail service to the snowmobile clubs, it would be necessary to expedite the change order in a timely manner. He advised that the contractor, the engineer and Mr. Merlino had come to an agreement that the change order would be finalized at approximately \$16,000. He added that he and Mr. Merlino had met with the County Attorney and the Chairman and had determined that a previous resolution had granted the Superintendent of the DPW the authority to approve change orders with Committee approval. He said that it had been decided that the change order would be signed and the work would begin immediately once the approval of each Committee member had been received. He said that he had been able to reach all of the Committee members with the exception of Mr. Goodspeed and the majority of the Committee had been in favor of the change order. He added that he had signed the change order and the work had begun and would be completed by January 1, 2009.

Mr. Merlino apprised that the original quote for the change order had been \$30,000 to \$50,000. He added that he had met with the engineer and the amount had been reduced to under \$16,000. He said that by beginning the work immediately they had ensured that the snowmobile track would not be closed for the entire winter season.

Motion was made by Mr. Bentley, seconded by Mr. Goodspeed and carried unanimously to ratify the actions of the Superintendent of the DPW in signing Change Order #1 to the contract with Mercer Construction Company, LLC for work at the Thurman Station.

Paul Butler, Director of Parks, Recreation & Railroad Department, requested to amend Resolution No. 492 of 2008 to pay up to \$147,885.01 out of Capital Project No. H219.9550 280 (Rail Road Track Restoration) for the construction of the rail stations in the Towns of Hadley and Thurman. He said that Resolution No. 492 of 2008 had stated that the funds could only be paid out of the Stations Project; however, he added, since he had remaining funds in the Rehabilitation Project, the resolution would need to be amended so that the remaining funds could be utilized.

Motion was made by Mr. Tessier, seconded by Mr. Champagne and carried unanimously to amend Resolution No. 492 of 2008, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Butler requested to ratify the actions of the Chairman of the Board in executing a Saratoga County Driveway Permit that was necessary for the Hadley Station Project to proceed.

Motion was made by Mr. Merlino, seconded by Mr. Champagne and carried unanimously to ratify the actions of the Chairman of the Board, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Butler requested authorization for an agreement between Warren County and the Towns of Hague, Horicon, Lake Luzerne and Thurman for snowmobile trail maintenance and equipment, commencing January 1, 2009 and terminating December 31, 2009, for a lump sum amount of \$90,000. He noted that the total was divided as follows: Horicon \$27,000; Thurman \$27,000; Lake Luzerne \$27,000 and Hague \$9,000.

Motion was made by Mr. Merlino, seconded by Mr. Bentley and carried unanimously to authorize the agreement with the Towns of Hague, Horicon, Lake Luzerne and Thurman, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Lamy stated that the resolution would allow the County to move forward with the agreements with the individual towns; however, he added, in 2009 they would need to address the fact that the amount was \$20,000 less than the amount that had been budgeted. Joan Sady, Clerk of the Board, recommended that the issue be brought to the January Committee meeting as a budget amendment.

Mr. Butler apprised that he had received the award letter from the New York State Office of Parks, Recreation and Historic Preservation; a copy of which is on file with the minutes. He stated that the County would receive a total of \$108,050.

Discussion ensued pertaining to previous funding.

Mr. Butler requested to amend the current contract between Warren County and the

Thurman Connection Snowmobile Club relative to the use of the County Railroad right-of-way (ROW) as a snowmobile trail between the ROW intersection with State Route 418 and continuing south past the newly constructed rail siding turn out, commencing January 1, 2009 and terminating March 31, 2009. He said there was a diagram of the area in the agenda packet. He explained that they were changing the perimeter of the construction site to allow the snowmobilers passage. He advised that the Snowmobile Club would take responsibility for the signage. He added that Mercer Construction Company, LLC wanted a stipulation that the Snowmobile Club would be responsible for the fence. Mr. Merlino said that originally they were going to allow the Club to have passage via the roadway; however, he added, the Department of Transportation felt that it would be unsafe.

Motion was made by Mr. Champagne, seconded by Mr. Merlino and carried unanimously to amend the current contract between Warren County and the Thurman Connection Snowmobile Club, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Butler requested to amend the current contract with Mercer Construction Company, LLC, to include Change Order #2, relative to the Thurman Station site in order to facilitate a snowmobile trail around the construction, to include an indemnification and hold harmless agreement and to change the construction site perimeter.

Motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to amend the current contract with Mercer Construction Company, LLC, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Butler stated that item five on the agenda was to answer a question that had been put forth at the previous Committee meeting by Mr. Stec. He stated that New York State Department of Environmental Conservation (DEC) stocked Glen Lake with 2,370 rainbow trout and that there were no plans to change the stocking policy in the future. Mr. Stec asked where surplus fish from the Fish Hatchery were stocked and Mr. Butler replied that they did not usually have surplus fish; however, he added, when there were surplus fish they were stocked based on the suggestions of the DEC.

Mr. Butler apprised that he had distributed the results from the Request for Proposal (RFP) for the railroad operator to the Committee members at the last meeting. He said he would meet with Julie Pacyna, Purchasing Agent, on January 27, 2009 to receive her input. He stated that he had called Richard Lucia, Supervisor for the Town of Corinth, for his opinion and he asked if there was anyone else he should contact. Mr. Merlino said that he felt the input from Supervisor Lucia was sufficient and Mr. Champagne suggested that input be sought from the Saratoga County Economic Development Corporation, as well.

Discussion ensued.

Mr. Lamy requested authorization for a contract with Standard Medical Services, LLC for drug and alcohol testing and Department of Transportation physical exams, commencing January 1, 2009 and terminating December 31, 2009, at a cost of \$46 per employee for

urine drug screening; \$21 per employee for alcohol breath testing and \$100 per employee for physical exams.

Motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to authorize the contract with Standard Medical Services, LLC, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Lamy stated that he had received a request to amend the amount of Just Compensation for a parcel on the Corinth Road Project. He said that due to the change in the road, the owners of the parcel would need to make modifications to their front porch. He reported that a detailed analysis had been included in the agenda packet. He added that when the appraisers looked at the parcel they had deemed that the Just Compensation should be increased to \$15,875, which fell outside the blanket approval which had been done by resolution.

Motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to increase the Just Compensation for Parcel No. 55 along the Corinth Road Project to \$15,875. *The necessary resolution was authorized for the December 19, 2008 Board meeting.*

Mr. Lamy advised that the Committee had decided not to use the \$204,000 which had been earmarked for the purchase of rail line north of the Hamlet of North Creek. He added that it was still earmarked on the New World System and asked what should be done to remove it. Mrs. Sady said that Mrs. Pacyna would liquidate the purchase order.

Mr. Lamy said that after the previous Committee meeting at which they had discussed snow and ice removal in the Hamlet of North Creek, he had conveyed the discussion to Mr. Goodspeed, who had some followup comments. Mr. Goodspeed apologized for not attending the last meeting during which the changes in the County's policy toward snow removal in the Hamlet of North Creek had been made.

Mr. Goodspeed noted that for more than twenty years the County had agreed to plow the roads, remove the snow that was plowed and to maintain the sidewalks in the Hamlet of North Creek. He apprised that this had been part of an oral agreement dating back to the 1980's, during which time the County had been provided with a parcel of land from the Town of Johnsbury in exchange for which the County had agreed to provide upkeep on the roads and sidewalks during winter months. He said that he had located memorandums from the 1990's that discussed this agreement.

Mr. Goodspeed advised that his understanding of the new agreement was that the County continued to have an obligation to maintain the County roads and had agreed to remove snow banks when possible during weekdays only. He further added that the County would have no responsibility with respect to sidewalk snow removal. He noted that there were only three main streets in North Creek all of which were County roads, two of those being in the business district.

Mr. Goodspeed stated that as a result of the previous Committee meeting, the Town of Johnsbury had put together a bid package for intermittent snow removal in the Hamlet of North Creek. He added that the business district had not been satisfied with the snow

removal in the past. He noted that since the County still had the responsibility of plowing the County roads, the remaining issue was maintenance of the sidewalks. He said he had been informed by Mr. Lamy that the Committee had decided the County would no longer provide snow removal services from the sidewalks in the Hamlet of North Creek, nor would they allow Town employees to use DPW equipment to do the work themselves. He said that he was looking to enter into an operations agreement for use of the BobCat, which was stored at the DPW Shop in the Town of Johnsbury for the primary purpose of the maintenance of the sidewalks in the northern portion of the County.

Following further discussion of the matter, it was the consensus of the Committee to allow the Town of Johnsbury to use the BobCat which was stored at the DPW Shop in Johnsbury for snow removal from the sidewalks in the Hamlet of North Creek.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Stec and seconded by Mr. Merlino, Mr. Belden adjourned the meeting at 12:30 p.m.

Respectfully submitted,

Charlene DiResta, Sr. Legislative Office Specialist