

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS - AIRPORT & DPW

DATE: MARCH 31, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
TESSIER
STEC
MERLINO
CHAMPAGNE
TAYLOR
GOODSPEED
PITKIN

OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
DON DEGRAW, AIRPORT MANAGER
FREDERICK MONROE, CHAIRMAN OF THE BOARD OF SUPERVISORS
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS THOMAS
SOKOL
STRAINER
RICH SCHERMERHORN, RICH AIR - FIXED BASE OPERATOR
RON FRISBEE, FORESTRY PROGRAM COORDINATOR FOR BOCES
BUD YORK, WARREN COUNTY SHERIFF
SHANE ROSS, CHIEF DEPUTY
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR BENTLEY

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

Motion was made by Mr. Taylor, seconded by Mr. Goodspeed and carried unanimously to approve the minutes of the March 3, 2009 Committee meeting subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Don DeGraw, Airport Manager, who distributed copies of the agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Beginning with the New Business portion of the agenda, Mr. DeGraw announced that Item 2 consisted of a request for new contracts with C&S Engineers, McFarland Johnson, Inc. and URS Corporation to provide the Airport with FAA (Federal Aviation Administration) qualified Airport Planning and Engineering Consultants for a five-year term. He explained that 13 respondents had applied for the contracts and the Airport Selection Committee had chosen the top three applications received; he then directed the Committee members to the portion of the agenda which reflected the numerical ratings given to each applicant. Mr. DeGraw stated that it was very important to secure at least two consultant contracts for pricing issues and the third was to ensure another option if something adverse were to occur with one of the two initial contracts. He advised that the main consultant would be C&S Engineers, the secondary McFarland Johnson, Inc. and the third URS Corporation. Mr. DeGraw concluded that the expiring consultant contract had been authorized by Resolution No. 350 of 2004, a copy of which was included in the agenda.

When questioned as to how the consultants were paid, Mr. DeGraw replied that they were mainly compensated by fixed fee, a considerable amount of which was covered by grant funding.

Motion was made by Mr. Tessier, seconded by Mr. Pitkin and carried unanimously to approve the request for new contracts with C&S Engineers, McFarland Johnson, Inc. and URS Corporation for Airport planning and consultation services for a five-year term and the necessary resolution was authorized for the April 17th Board meeting. *A copy of the request is on file with the minutes.*

Moving on to Agenda Item 3, Mr. DeGraw apprised that there were a considerable number of trees on Airport property which required removal subsequent to a recent obstruction study performed by the FAA. He displayed a map reflecting the areas requiring tree removal and noted that a cost of approximately \$250,000 would be incurred to perform the removal using the typical consultant and FAA approval procedure. In the midst of attempting to determine an acceptable means for tree removal while minimizing the cost to the County, Mr. DeGraw stated that he had been contacted by Ron Frisbee, Coordinator of the BOCES (Board of Cooperative Educational Services) Forestry Program, who was seeking a site where his students could perform tree removal services to gain beneficial educational experience within close proximity to the BOCES training center. He added that there would be no cost to the County if BOCES students were to perform the tree removal and BOCES would retain the estimated \$8,000 in revenue which could be obtained by selling the timber to be removed. Mr. DeGraw noted that the cost for the BOCES students to remove the timber would actually be about \$12,000 leading to a \$4,000 loss for the school.

Mr. Champagne questioned if the BOCES teacher's salary was included in the \$12,000 cost estimate and Mr. Frisbee replied in the negative noting that he had used a very low estimate similar to what was currently being charged by contract loggers of \$100 per 1,000 board feet to determine the stumpage value of \$8,000. He then explained that the stumpage value was the amount paid to the landowner for the standing trees removed from their property. Mr. Frisbee stated that the biggest advantage to BOCES was not the monetary value, but rather the opportunity to allow students to gain valuable forestry experience within close proximity to the BOCES facility. He noted that because there were no areas to remove timber on the BOCES property, they were constantly seeking out other areas requiring tree removal. Mr. Frisbee advised that his students were currently working on property owned by the Lake George Elementary School which was a 30 minute trip to and from the site meaning that one hour of their two hour class was wasted traveling to and from the site. He said that because the Airport was so close to the BOCES facility it seemed to be a perfect location for his students to work from and would be beneficial to the County, as well, because the tree removal could be done at no cost.

Motion was made by Mr. Goodspeed and seconded by Mr. Merlino to authorize a new contract with BOCES to provide the Airport with no cost tree removal in areas identified by the FAA.

Mr. Belden questioned whether the County would encounter liability issues by allowing BOCES students to provide the tree removal services and Mr. DeGraw replied that he had spoken with Paul Dusek, County Attorney, who had thought this was a good idea for the County and had advised that if a contract agreement was secured with BOCES there would be no liability issue.

Mr. Champagne stated that he was aware of several projects undertaken by BOCES students for local governments and he said he was sure that insurance liability carried by the school would sufficiently cover them for the work.

Mr. Belden called the question and the motion to authorize a new contract with BOCES was carried unanimously thereby authorizing the necessary resolution for the April 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. DeGraw announced that Agenda Item 4 consisted of an informational note which apprised that Rich Air had generously donated and installed a very attractive gazebo in the Airport circle which would be designated as a smoking area designed to bring flammable products away from the fence and fueling area of the Airport ramp.

Moving on to the Old Business portion of the agenda, Mr. DeGraw stated that Item 5 referred to an update on the Security Lighting and Fencing Project that had recently been re-bid. He said that it appeared AFSCO Fence would be the new low bidder for the work at a cost of \$27,455; he added that all of the bids were currently under review

and a final recommendation for the work would be presented for the Committee's approval at the next Committee meeting in order to advance the Project.

Mr. DeGraw advised that Agenda Item 6 referred to an update on the Runway 1 Wetland Mitigation Project and he noted that the work required for the Project was basically complete, except for some seeding required to meet the five-year inspection process.

Continuing to Agenda Item 7, Mr. DeGraw apprised that it appeared \$750,000 in Federal funding had been earmarked by New York State Senator Kirsten Gillibrand in connection with the Runway 1 Extension Project for environmental assessment and structure removal as needed. He said that he hoped this funding would help to advance the runway extension plans.

Mr. DeGraw concluded the agenda review by addressing the listing of items pending from prior Committee meetings which he outlined as follows:

1. With respect to the item in which the Committee authorized legal action to determine the validity of an easement on the Chartrand parcel, Mr. DeGraw advised that he continued to work with the County Attorney's Office on this matter and had spoken with the property owners; however, he added, the matter was not yet resolved;
2. Mr. Lamy stated that due to workload issues he had been unable to attend the recent NYSAC (New York State Association of Counties) Conference; therefore, he said, he had been unable to determine a proper replacement for former Airport Manager Marshall Stevens on the NYSAC Public Safety Committee. He said that he had a contact person at NYSAC who he would call to determine whether it was appropriate for either himself or Mr. DeGraw to serve on the Committee;
3. Regarding the construction of a self-fueling facility by the FBO (Fixed Base Operator), Rich Air, Mr. DeGraw noted that Rich Air was currently awaiting pricing information from two equipment vendors and planned to construct the facility in late spring or early summer.

Mr. DeGraw apprised that during the prior day there had been an emergency landing at the Airport when an airliner in the vicinity had caught fire. He reported that the Airport staff trained to respond to fire issues had received the call and were dressed and waiting for the plane when it made its descent to extinguish the fire. Mr. DeGraw stated that in this case the emergency landing had been necessary for only a small plane; however, he said, it could just as easily been a much larger aircraft because in emergency situations such as this they would attempt to land at the closest airport. Mr. DeGraw said he wanted the Committee to be aware that the Airport staff had quickly and professionally responded to the fire emergency as they had been trained to do.

As a final informational note, Mr. DeGraw advised that a pancake breakfast would be held at the Airport on Saturday April 18th from 9:00 a.m. to 2:00 p.m. to benefit the local soup kitchen and they hoped to see a big turnout for the event.

Mr. Belden noted that considerable improvements had been made to the Airport buildings by the FBO and he suggested that the May Committee meeting be scheduled at the Airport so that all of the Committee members could view the renovations.

Rich Schermerhorn, of Rich Air, requested permission to address the Committee to provide an update on a number of things happening at the Airport. He advised that plans to construct the self-fueling facility were moving along and during the prior week the Vice President of Assent Fuel, the supplier for the fuel sold at the Airport, visited the Airport to review and inspect the site and he was currently awaiting prices on the equipment. He added that he

anticipated the self fueling facility project to be completed in the near future. With respect to the Airport security system which he planned to enhance, Mr. Schermerhorn apprised that he had acquired quotations from two different firms interested in installing the equipment and that work too would begin shortly.

Mr. Schermerhorn announced that he had made a lot of headway with many of the local general aviation pilots during a recent meeting of the EEA, which was an experimental pilots group. He said that he had attended the meeting to introduce himself and his new FBO General Manager, Anne Pollard, who would begin on May 1st. Mr. Schermerhorn advised that Ms. Pollard had worked for another airport for the past 20 years and was unique in that she was not only able to run the day-to-day operation of the FBO but also to expand it. He said that she would be involved with sales and brokerage of aircrafts, as well as expansion of aircraft maintenance services. Mr. Schermerhorn stated that he had sought a unique person for this position and he had found this in Ms. Pollard. He added that Ms. Pollard was also a member of the NATA (National Air Transportation Association) based in Washington, D.C. and that affiliation brought a considerable credibility to not only his organization, but also to the County. Mr. Schermerhorn said that during the prior week Ms. Pollard had met with the Pilot's Association, who had been vehemently against his company becoming the new FBO, which was a self-formed organization of a number of people who liked to fly and were very involved with safety issues at the Airport. He advised that subsequent to Ms. Pollard's meeting with key members of the Pilot's Association he had already received several emails commenting that they were thrilled with Ms. Pollard's qualifications and the fact that she was aware of their interests and desires for the future of the Airport.

Mr. Schermerhorn stated that he had faced only one problem which he considered to be a favorable one. He said that when his organization was chosen to be the FBO he knew that the Airport facility was underutilized but he had not realized how much. Mr. Schermerhorn advised that the restaurant served as a huge attraction for the Airport, as well as the renovations and changes he had made to the facility. He noted that he was currently out of t-hangar space and he explained that of his four t-hangars, three were full; he added that the fourth t-hangar was the only empty one and he was reluctant to use it for general aviation planes because there was an increase in corporate private jets seeking overnight t-hangar space. Mr. Schermerhorn stated that many corporate jets were choosing the Warren County Airport because t-hangar space was available there but was not offered at the Saratoga County or Albany International Airports. He noted that he was currently in communication with Mr. DeGraw with respect to the lack of t-hangar space and anticipated that he would be returning to the Committee in the future to seek out another land lease to construct additional t-hangars. Mr. Schermerhorn stated that his next plan would be for even larger t-hangars than previously constructed as he had received communication from owners of larger aircraft that would fly into the Airport if he was able to accommodate them with appropriate t-hangar space. He said that drawing the interest of larger aircraft was a good thing, especially if the runway was extended further allowing for larger planes to fly into the facility which would mean an increase in flight traffic.

Mr. Schermerhorn stated that although it was not part of his lease agreement, he had voluntarily begun renovations to the conference room at the Airport, including new wallpaper, carpet and furniture. He said that although this area was considered the County's office space, Mr. DeGraw had generously allowed the public to use the area for meetings and such and he felt it necessary to update the space and carry the flair of the renovations already made throughout the building.

The restaurant was the only portion of the Airport buildings that had not been renovated, Mr. Schermerhorn advised, and he said he had begun speaking with Mr. DeGraw regarding his preliminary proposal to construct a new restaurant on the Airport property. He noted that the restaurant was very busy and drew a number of pilots to the Airport who would fly in for breakfast and purchase fuel before leaving. Mr. Schermerhorn added that although there was a considerable interest in the Airport restaurant which lead to increased fuel sales, it was very small and

overcrowded. He said that his engineer had reviewed the Airport property and developed a preliminary proposal for a new restaurant to be constructed on the piece of property between the firehouse and Schermerhorn Aviation T-hangar #2. Mr. Schermerhorn pointed out there was a parking lot close to the area which received minimal usage and would allow plenty of parking for the new restaurant. He said his proposal would include the construction of a brand new stand-alone restaurant that could offer extended hours of operation. Mr. Schermerhorn said that his first step would be to speak with the staff of the current restaurant to determine if they were amenable to the idea of a new restaurant and would then seek out a lease scenario, as was used for the t-hangars, for the use of the land. He advised that if the County was agreeable to the land lease, he would be willing to fund the restaurant construction which he proposed would be a single story building of about 3,000 sq. ft. that would triple the size of the current restaurant and would meet all current building codes. Mr. Schermerhorn stated his opinion that the new restaurant would attract not only pilots, but also patrons from the surrounding businesses and neighborhoods further enhancing the potential for increased revenues. He said that he felt a new restaurant would be a considerable benefit to the Airport and would make it very popular as restaurants were being eliminated from airport fields, except in the larger international airports.

Mr. Stec said he was agreeable to the idea of Mr. Schermerhorn constructing a new restaurant at the Airport and he suggested that they review the legal aspects of the proposal to determine if it was feasible. Mr. Tessier noted that the current restaurant was very busy and many times it was hard to be seated due to the number of visitors and he agreed that a larger restaurant would be more accommodating.

Mr. Schermerhorn noted that there was currently a minimal amount of office space for himself and his staff and if the plans for a new restaurant came to fruition, he would propose the conversion of the current restaurant space into additional office space and seating areas. He added that by making the restaurant into a stand-alone facility, it would be very easy to fence off the area to prevent the general public from wandering onto the ramp while allowing the pilots to safely walk to and from the facility under the direction of the FBO.

Mr. Champagne questioned why a new stand-alone restaurant would be proposed instead of building an addition on the current building and Mr. Schermerhorn replied that there was not sufficient space to construct an addition to expand the restaurant as he desired. In addition, he said, the building was very old and it was difficult to heat and cool and there were other issues, such as a leaky roof. Mr. Schermerhorn advised that by building a separate restaurant facility they would be avoiding these issues in the new restaurant facility while allowing for the space currently occupied by the restaurant to be converted into additional office space. He concluded that although the current terminal building could be preserved, he was not agreeable to putting a significant amount of money into a building which might require replacement in the not so distant future.

Mr. Pitkin asked what affect the new restaurant would have on the agreements for the existing restaurant and Mr. Schermerhorn replied that they would carry the same agreement they had now with a percentage of sales being paid to County. He added that if the same land lease used for the t-hangars was employed, lease fees would be paid to County in addition to a percentage of the sales. Mr. Schermerhorn concluded that this seemed to be a favorable situation for the County as the new restaurant would bring them additional land lease revenues and the County would retain the restaurant if there came a time when Rich Air was no longer FBO.

Mr. Champagne stated that although he thought a new stand-alone restaurant was a great idea, he did not want it to appear as if the County was competing with existing area restaurants.

Mr. Stec reiterated his opinion that the issue should be referred to Mr. Dusek to determine the legality of the land lease and construction issues and also to determine the steps that would have to be taken to avoid any appearance

that the County was attempting to compete with other local eateries.

Subsequent to further discussion on the matter, motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to refer the matter of Mr. Schermerhorn's proposal to construct a stand-alone restaurant on the Airport property at no cost to the County to the County Attorney in order to determine the legality of the issue.

Mr. Sokol stated that the vote to select Rich Air as FBO was probably the most difficult decisions since he had become a member of the Board of Supervisors. He apprised that he had been flying in and out of the Warren County Airport with his father since he was 18 years old and the facility had always remained the same until Mr. Schermerhorn came on board and began making improvements. Mr. Sokol said that he had recently visited the Airport and was amazed at the changes Mr. Schermerhorn had made.

Discussion ensued.

Mr. Champagne noted that he continued to receive complaints from some general aviation pilots on a few issues, the first of them being with respect to increases in t-hangar rental fees. Mr. Schermerhorn advised that when he had assumed the FBO designation, he had not received any information as to how much was being charged for t-hangar rental or any justification as to why the rates charged varied. He said that once the matter had been researched and the rental rates for each renter had been determined, he had found that the rates varied between \$200 and \$300 per month without explanation. Mr. Schermerhorn stated that to be fair to all renters, he had set an average fee across the board for anyone renting a t-hangar; he added that some renters had been very happy with the standard rate, while others were not.

Mr. Champagne noted that the price of fuel had also been questioned and Mr. Schermerhorn apprised that currently, the price for aviation gas was much higher than what was being charged for jet fuel and he noted that the price fluctuated for no real rhyme or reason. He said that when he had purchased his first delivery of fuel in January, the price had been very reasonable but had since increased as they approached the spring/summer season. Mr. Schermerhorn stated that he would not be opposed to sharing his fuel bills and cost information with the Committee which would reflect the price increases, as well as the fact that the gas was heavily taxed by New York State.

Mr. Champagne then questioned the difference in fuel prices charged by Warren County Airport and Albany International Airport. Mr. Schermerhorn responded that the Warren County Airport could never compete with Albany International Airport as far as gas prices because the Albany FBO was paid by the Albany Authority to run the Airport and the FBO did not make any money on fuel sales. He added that Albany International sold fuel to general aviation pilots at cost and the FBO had no issue with this because they were not paid according to the amount of fuel sold, but rather were paid a flat fee to serve as FBO. Mr. Schermerhorn said that this question was raised quite often because both Warren County Airport and the Albany International Airport used the same supplier to purchase aviation gas and jet fuel. He added that if they were to look at the surrounding area airports they would discover that Warren County Airport was offering competitive fuel rates; however, he noted, his fuel price was currently higher than what was being charged at the Saratoga County Airport and this was due to the fact that they did not sell as much fuel and were still selling the gasoline they had purchased at a lower price. Mr. Schermerhorn guaranteed the Committee that his selling price fluctuated based on the purchase price of the fuel and would decrease accordingly as the cost declined.

Mr. Champagne stated that a final minuscule complaint he had received was respective to the lack of a bulletin board in the terminal to post events and sales of personal items. Mr. Schermerhorn said that he had discussed this issue with Mr. DeGraw previously and a new bulletin board had already been ordered. He added that when the

board was installed he preferred that any postings displayed on the board be aviation related and noted that non-aviation related advertisements would not be permitted.

Mr. Belden thanked Mr. Schermerhorn for attending the meeting and updating the Committee; he also commended Mr. Schermerhorn for his efforts at the Airport. Mr. Schermerhorn thanked Mr. Belden and complimented Mr. DeGraw on his staff who did a fantastic job of addressing snow removal, lawn care and grounds keeping issues.

Mr. Lamy stated that although the issue was not included on the agenda, the Committee had to make a determination as to whether the Balloon Festival would be held at the Airport and how many launches the County would be involved with. He said that he and Hal Payne, Commissioner of Administrative & Fiscal Services, had discussed ways in which to reduce the County cost incurred during the event.

Mr. Belden noted that no funding had been included in the 2009 Public Works budget for the Balloon Festival and he questioned how the County would fund any portion of the event. Mr. Payne advised that the organizers of the Balloon Festival had submitted an application for \$10,000 in Occupancy Tax funding which they would use to make donations to volunteer organizations who would assist with the event by directing traffic and parking cars during one of the scheduled launches. He added that a decision was to be made at the following days Occupancy Tax Committee meeting as to whether or not the funding would be granted. Mr. Payne confirmed that no funding had been included in the Public Works budget to assist with the event, which typically cost the County approximately \$25,000 to \$30,000 annually. Mr. Lamy interjected that during the prior year almost \$20,000 had been spent in overtime costs for the event which had not included a Sunday afternoon launch. He noted that one of the things the Balloon Festival Committee had requested they revisit was the reintroduction of the Sunday afternoon launch from the Airport. Mr. Lamy said that even if they were able to receive support from the local fire companies they would still require the assistance of some Airport staff, as well as the Highway Construction Supervisors, to provide direction and leadership for the volunteers during the event. He pointed out that if the volunteers were not experienced with parking cars and had no direction, the situation could become chaotic. Mr. Lamy reiterated that while the volunteers would certainly reduce the cost to the County because the number of County staff required would be reduced, they would still have to pay some County staff members to direct the volunteers.

Mr. Champagne stated that if they were able to develop a set of policies and procedures prior to the event to properly direct the volunteers as to how to park the cars they might be able to operate without County supervision. Mr. Belden interjected that County staff would still be required to do the clean-up work during and after the event. Mr. Lamy noted that the Construction Supervisors working during the Balloon Festival also served to communicate with himself, Mr. DeGraw and the Sheriff's Office in coordinating the vehicles entering and leaving the event. He pointed out that during the prior year there had been a case where the Sheriff had removed a visitor to the Balloon Festival early in the morning who was charged with a DWI (Driving While Intoxicated) subsequent to notification by DPW staff.

Mr. Payne stated that the Sunday afternoon launch was critical to the Balloon Festival as their move to the ACC (Adirondack Community College) campus for the Sunday launch in the prior year had been unsuccessful because none of the specialty balloons were willing to launch from that location due to a lack of space. In addition, he said, the Balloon Festival organizers had added leverage in attracting vendors to the event, as the Sunday launch guaranteed a third day for the vendors to generate income.

Mr. Belden suggested that Mr. Lamy develop a schedule of anticipated costs for the County's participation in the 2009 Balloon Festival to be presented for discussion at the next Committee meeting. Mr. Goodspeed noted that when this presentation was made it would be helpful to have a member of the Balloon Festival Committee present

to discuss the matter.

Mr. Payne apprised that members of the Balloon Festival Committee would be present at the Occupancy Tax Coordination Committee scheduled for the following day and their interest in obtaining the Occupancy Tax funding was dependent upon whether or not the Sunday afternoon balloon launch from the Airport was approved. He stated that the time frame to approve the launch was running very short because the Balloon Festival organizers required time to advertise the event and book the pilots.

Upon discussing the matter further, it was the consensus of the Committee that a decision would not be made regarding the reintroduction of the Sunday afternoon balloon launch until a meeting with members of the Balloon Festival Committee could be scheduled to discuss the matter further.

Mr. DeGraw left the meeting at 10:30 a.m.

As there was no further Airport business to discuss, privilege of the floor was extended to Mr. Lamy to begin the DPW portion of the Committee meeting. Copies of the DPW agenda were distributed to the Committee members, a copy of which is on file with the minutes.

Commencing the DPW agenda review with the New Business portion, Mr. Lamy advised that the first item to be discussed was the Budget Performance Report, a copy of which was included in the agenda. He added that the agenda also included a document summarizing the number of overtime hours used for the first quarter of each year from 2005 through 2008. Mr. Lamy noted that the average amount of overtime incurred for those four years was 9,639 hours while only 5,141 had been expended in the first quarter of 2009. He said that the decrease in overtime translated to a savings of \$75,000 to the County which he hoped would not have to be used for the remaining winter months of 2009.

Mr. Lamy directed the Committee members to page 16 of the Budget Performance Report which reflected the payroll amounts posted for Snow Removal personnel through March 1, 2009 and indicated that 39% of both the regular and overtime salary budgets had been expended for 2009. He noted that page 20 contained payroll information respective to the Machinery personnel and their use of 23% of the overtime budget which was less than had been used during the first quarter for the past few years.

Mr. Merlino pointed out that the expenditure of the fuel budget should have decreased also in light of lower gasoline prices and Mr. Lamy confirmed this statement. He added that the expenditure of the salt budget was less than anticipated also.

With respect to the information distributed by Mr. Lamy at the prior Committee meeting regarding the duties and responsibilities of his staff, Mr. Merlino said that he had reviewed the information and was amazed at all of the work performed by DPW staff. Mr. Lamy replied that he had some tremendously talented people working in his Department which made it possible to complete all of the work expected of the DPW.

Continuing, Mr. Lamy advised that agenda page 2 consisted of a chart reflecting the personnel reorganization discussed and approved at the prior Committee meeting. He said that subsequent to the meeting he had rethought the reorganization and had determined that it would be prudent to rename the Administrative Assistant position in order to remove it from the bargaining unit. Mr. Lamy apprised that he had worked with the Civil Service Department in determining that the position should be renamed as Confidential Assistant to the Superintendent of Public Works which would be a non-bargaining unit position exempt from Civil Service testing. He advised that

the person he had in mind to fill the position had been employed with the County for the past 20 years and had a working knowledge of the Department. Mr. Lamy added that agenda page 3 included a request to create the new position of Confidential Assistant to the Superintendent of Public Works.

Motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to approve the request to create the new position of Confidential Assistant to the Superintendent of Public Works with a base salary of \$34,155 and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Agenda page 4, Mr. Lamy advised, consisted of a request to fill the vacant position of Confidential Assistant to the Superintendent of Public Works.

Motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to approve the request to fill the vacant position of Confidential Assistant to the Superintendent of Public Works and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. Lamy advised that the person he had in mind to fill the Confidential Assistant position would also be designated as the Deputy Superintendent of Administration, for which they would receive an additional stipend. He noted that because the person anticipated to fill the Confidential Assistant position would be transitioning from a bargaining to a non-bargaining position, they would lose all of their accumulated longevity pay. Therefore, Mr. Lamy stated, the base salary for the position had been adjusted to account for the longevity earned and he requested that the stipend for the Deputy Superintendent of Administration be decreased in accordance with the Confidential Assistant salary increase. He explained that the Committee had previously authorized a \$4,000 stipend for the Deputy Superintendent of Administration and he would suggest that amount be reduced to \$2,500. Mr. Lamy added that Committee authorization was also required to fill the Deputy Superintendent of Administration position.

Mr. Payne stated that the issue with adjusting the base salary for the Confidential Assistant position in this manner was that the position would receive a higher cost of living increase due to the increased salary. He added that cost of living allowances were not applied to the stipend; therefore he noted, it would be less costly to assess the Confidential Assistant position with a lower salary and increase the stipend accordingly, although the difference in cost was minimal.

Motion was made by Mr. Pitkin, seconded by Mr. Merlino and carried unanimously to approve the request to decrease the salary for the Deputy Superintendent of Administration from \$4,000 to \$2,500 and refer same to the Personnel Committee. *A copy of the request is on file with the minutes. (Please be advised that the request to increase the base salary of the Deputy Superintendent of Administration from \$853 to \$4,000 was approved at the March 3, 2009 Public Works Committee meeting and referred to the Personnel Committee. However, the Superintendent of Public Works requested that the item be referred back to the Public Works Committee for further review; therefore, the base salary of the Deputy Superintendent of Administration remained at \$853 and a request to increase that salary to \$2,500 was being presented and referred to the April 8, 2009 Personnel Committee for approval).*

Motion was made by Mr. Goodspeed, seconded by Mr. Stec and carried unanimously to approve the request to fill the position of Deputy Superintendent of Administration with a base salary of \$2,500 and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. Lamy advised that the final personnel related request was included on page 5 of the agenda and consisted of a request to fill the Senior Account Clerk position with a base salary of \$28,041, which would be vacated due to promotion. He noted that the current Senior Account Clerk would be promoted to the Confidential Assistant

position and he required authorization to fill the resulting vacancy.

Motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to approve the request to fill the Senior Account Clerk position, base salary of \$28,041, and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. Lamy announced that the next agenda item pertained to DPW equipment purchases and he noted that the final bids for purchase under the 2008 equipment bonds had recently been received, completing the purchases included in the equipment bond for 2009. He advised that a listing of equipment necessary for 2010 had been developed by the DPW Shop Supervisor and was included on page 6 of the agenda. Mr. Lamy pointed out that the total amount allotted in the equipment bonds had not been expended as they had been able to purchase some equipment items at lesser than anticipated prices, such as the used Gradeall, and he foresaw an opportunity to lessen the impact on the 2010 budget by expending the remaining bond funds to obtain equipment slated to be purchased in 2010. He directed the Committee members to agenda page 7 which included notations on three items he proposed be purchased with the \$136,137 remaining in the 15 year 2008 equipment bond and he outlined them as follows:

1. Six-man crew cab four wheel drive truck with plow and sander, cost of \$65,000;
2. Mower with flail on arm, cost of \$83,000 and
3. A four wheel drive tractor with mower, cost of \$60,000.

Mr. Lamy stated that agenda page 8 reflected expenditures under the 10-year 2008 equipment bond and noted that there was a total of \$19,517 remaining which could be expended to purchase a message board, the cost of which was estimated at \$19,000. He said that the message board could be used in connection with paving and bridge projects, as well as during special events such as the Balloon Festival, to direct traffic.

The final bond, Mr. Lamy advised, was the five-year 2008 equipment bond reflected on page 9 of the agenda. He noted that a total of \$9,781 in unexpended funds remained which he said could be used to purchase a light tower at an estimated cost of \$9,530. Mr. Lamy explained that they currently rented light towers for the Balloon Festival and for night DPW work; he added that the purchase of the light tower would eliminate the need to rent one unit while providing for a safe working environment when working in limited visibility.

Mr. Lamy apprised that estimated costs had been provided for all of the items which would be formally bid to determine the exact costs and he requested Committee approval to move forward with expending unused bond funds to purchase the items listed above. He further noted that by making the aforementioned equipment purchases using remaining bond funds and by delaying the purchase of one tandem truck to 2011, they had the opportunity to reduce the equipment purchase totals to \$408,000 for 2010 and \$395,000 for 2011, based on current pricing.

Subsequent to further discussion on the matter, motion was made by Mr. Champagne, seconded by Mr. Taylor and carried unanimously to authorize Mr. Lamy to proceed in purchasing the aforementioned equipment, as well as any other items that could be purchased without exceeding the unexpended bond funds.

Continuing with the agenda review, Mr. Lamy apprised that page 11 included a request for transfer of funds as follows:

<u>From Code:</u>	<u>To Code:</u>	<u>Amount:</u>
D5112-8100, Haviland Rd	DM5130.240, Highway & Street Equipment	\$32,127.00
D5112-8107, CR28 - Corinth Rd	DM5130.240, Highway & Street Equipment	8,227.00
D5112-8115, CR41 - N. Bolton Rd	DM5130.240, Highway & Street Equipment	4,646.00

Mr. Lamy stated that as per the Treasurer's Office, the transfer of funds was necessary to make the purchase of a shoulder machine from the Town of Queensbury as authorized by the Committee at a prior meeting.

Motion was made by Mr. Goodspeed, seconded by Mr. Merlino and carried unanimously to approve the request for transfer of funds as outlined above and refer same to the Finance Committee. *A copy of the request for transfer of funds is on file with the minutes.*

The next agenda item, Mr. Lamy apprised, pertained to the 2009 Road Project Schedule which they were very close to completing and would be mailing to the Committee members and Town Supervisors as quickly as possible. Mr. Lamy said that 2009 had been a very challenging year for development of the schedule due to the issues with CHIPS (Consolidated Highway Improvement Program) funding and he had received requests from a few Supervisors with needs in their Towns that they wanted addressed as quickly as possible. He stated that he had received the requests and they would be factored in when developing the paving budget; however, he noted, there were many other projects and events that had to be considered when developing the schedule. Mr. Lamy advised that he typically attempted to complete all County paving projects before scheduling work to be done for the Towns and he appreciated the Supervisor's patience and understanding as they tried to accommodate the needs of each Town as best they were able. He noted that they had moved the paving crew from the South End garage to the Warrensburg DPW Shop and that would now be where the crew worked from; he added that they felt this was a positive move for the DPW employees, as well as for control of the operation.

Mr. Belden questioned if the paving crew would be working 10-hour days for the summer season and Mr. Lamy replied in the negative, advising that the crew would continue to work five eight-hour days per week. In addition, he noted that with the cutbacks in paving funding they would make their best attempt to minimize the amount of overtime funds expended.

Mr. Lamy directed the Committee members to page 12 of the agenda which included the paving rates that would be charged to everyone seeking County paving services. He noted that hourly labor rates were listed for regular and overtime events and noted the formula that would be used to determine gasoline costs which would fluctuate based on the current rate, as well. Mr. Lamy questioned if Committee action was necessary to formally approve the paving cost schedule and Joan Sady, Clerk of the Board, replied that it was informational only.

Jeffrey Tennyson, Deputy Superintendent of Engineering, apprised that the next agenda item consisted of a request to establish Capital Project No. H299.9550 280, 2009 Bridge Rehabilitation Projects, in the amount of \$250,000. He noted that the Capital Project would be established to address the bridge projects outlined in the agenda which totaled \$332,000. Mr. Lamy noted that during the 2009 budget process a determination had been made that they would review the status of the budget early in 2009 to decide whether the funds were available to fund the Capital Project or if the costs would be bonded. He added that he had since reviewed the budget with the Budget Officer and they had determined that the costs would need to be bonded.

Motion was made by Mr. Champagne and seconded by Mr. Stec to approve the request to establish Capital Project No. H299.9550 280, Bridge Rehabilitation Projects, in the amount of \$250,000.

Mr. Stec noted that the accumulative total for the bridge projects was \$332,000 while the Capital Project was only being established for \$250,000 and he questioned the difference. Mr. Tennyson apprised that the amounts listed for each project were estimates of cost and would be reviewed as contract bids were received. He added that they did not have enough funding to complete all of the bridge projects and would have to prioritize the projects according to which required attention first. Mr. Tennyson said that any of the projects that could not be addressed

within the \$250,000 budget would be held for funding in 2010.

Mr. Belden asked if it was possible to submit the bridge projects for funding under the Federal Stimulus Program and Mr. Lamy replied that Stimulus funding would be received for two bridge projects in the Town of Stony Creek. Mr. Lamy further noted that they had submitted requests for funding for \$1.5 million of paving projects which were not currently included on the County paving schedule; he added that NYSDOT (New York State Department of Transportation) had already inspected the road projects to determine whether they fell within the parameters of the Stimulus Program and they were hoping to hear whether any of the projects would actually receive funding. Unfortunately, he said, all of the Stimulus money for paving must be contracted out and could not be done by DPW forces. Mr. Lamy said that they had discussed the possibility of funding the Peaceful Valley Bridge under the Federal Stimulus Program and the project was disqualified because the County had already signed a contract even though they had not started the work. Mr. Belden noted that contracts had not been signed for all of the bridge projects and he suggested that grant funding be sought for them under the Federal Stimulus Program; Mr. Lamy replied that he could certainly make the request.

Mr. Champagne questioned if it would be appropriate to attempt to add the road projects included on the County Paving Schedule to the application for Federal Stimulus Program funding in order to reduce the cost to the County. Mr. Belden replied that if this was done they would lose the CHIPS funding already granted by the State and Mr. Lamy added that the work included on the County paving schedule would be funded predominantly by CHIPS funding, with only about \$69,000 of the project totals being funded by the County. Mr. Tennyson interjected that it was his understanding that they had already requested more Federal Stimulus Program funding than was available to them.

Mr. Belden called the question and the motion was carried unanimously to approve the request to establish Capital Project No. H299.9550 280, Bridge Rehabilitation Projects, in the amount of \$250,000 and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Resuming the agenda review, Mr. Tennyson advised that page 18 included a request for a new contract for reconstruction of the Grist Mill and Tannery Road Bridges in the Town of Stony Creek. He said that these bridge projects had been approved for funding under the Federal Stimulus Program and he reminded the Committee members that during their prior meeting they had approved the Master Agreement to access Stimulus funds. Mr. Tennyson stated that they would be proceeding in bidding the construction for the bridge projects and would be ready to award the contracts when the bids were received at the end of April. He said that they were requesting permission to award the contract to the lowest responsible bidder to be determined subsequent to the bid opening.

Mrs. Sady questioned whether the bidder would be known prior to the April 17th Board meeting and Mr. Tennyson replied in the negative noting that the bid opening was scheduled for April 30th. He said that they would be ready to award the contracts after the April 17th Board meeting but prior to the next Public Works Committee meeting and they were seeking approval of the new contracts at the April Board meeting rather than waiting until the May Board meeting.

When questioned as to the funding for the bridges, Mr. Tennyson apprised that the construction and construction inspection services for both bridge projects would be funded 100% through the Federal Stimulus Program.

Motion was made by Mr. Stec, seconded by Mr. Champagne and carried unanimously to authorize the Superintendent of Public Works to award the contract for the reconstruction of the Grist Mill and Tannery Road Bridges to the lowest responsible bidder subsequent to the bid opening scheduled for April 30, 2009 and the

necessary resolution was authorized for the April 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that page 19 of the agenda included a request to amend the existing grant with NYSDOT to include Supplemental Master Agreement #4 in connection with the Padanarum Road Bridge Project, H257.9550 280. He said that Project was complete and all bills incurred had been paid; Mr. Tennyson added that they were now sorting out the final grant amounts with NYSDOT and this request would allow them to increase the grant by \$3,770.

Motion was made by Mr. Champagne, seconded by Mr. Goodspeed and carried unanimously to approve the request to amend the existing grant with NYSDOT in the amount of \$3,770 to include Supplemental Master Agreement #4 as outlined above to refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that Committee action was necessary to increase Capital Project No. H257.9550 280, Padanarum Road Bridge, in the amount of \$3,770 in connection with the amendment to the existing NYSDOT grant. He noted that a resolution request form to this affect was included on page 23 of the agenda.

Motion was made by Mr. Taylor, seconded by Mr. Stec and carried unanimously to approve the request to increase Capital Project No. H257.9550 280, Padanarum Road Bridge, in the amount of \$3,770 and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Agenda page 24 included a request to amend the existing contract with Mac-Son Industrial Services, Inc. to include additional tank removal for an underground storage tank recently discovered at the Municipal Center. He added that the amendment would incur a cost increase of \$3,000 to the County.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request to amend the existing contract with Mac-Son Industrial Services, Inc. as outlined above and the necessary resolution was authorized for the April 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that the next agenda item pertained to the Beach Road Draft Design, copies of which were distributed to the Committee members. He noted that the final design report would be provided later in the year when completed. The Committee members were asked to review the Design Report and contact himself or Mr. Lamy with any questions they might have. Mr. Lamy noted that eventually the Committee would be required to make a final determination as to the direction of the Project based on their suggestions and would also have to approve the SEQRA (State Environmental Quality Review Act) process and the Report included the background information necessary to make an informed decision.

Mr. Lamy reminded the Committee that approximately two years ago a retaining wall had been installed by the County on Valley Woods Road for which they had entered into a contract with the Lake George Watershed Conference who had agreed to provide funding. He said that the project was completed in 2008 and in September of that year Mr. Tennyson had completed and submitted the reimbursement package to the Department of State through the Lake George Watershed Conference seeking funds but they had yet to receive anything, although they continued to question when the reimbursement would be received. Mr. Belden said that he intended to attend the upcoming Lake George Watershed Conference meeting scheduled for the following week and he suggested that Mr. Lamy attend also to question when the reimbursement would be received.

As an informational note, Mr. Lamy advised that bids were received for renewal of the generator maintenance contract for all generators within the County. He noted that documentation of the renewal was included in the

agenda beginning on page 27. Mr. Lamy then stated that beginning on agenda page 35 was information pertaining to the renewal of the Lawn Control & Maintenance contract which had been renewed for 2009.

Mr. Lamy directed the Committee members to agenda page 38 which reflected a request for a new contract for pickup sweeping services commencing April 20, 2009 and terminating December 31, 2009. He noted that the lowest responsible bidder had yet to be determined for the contract; however, he said, the bids were to be received and opened prior to the April Board meeting.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve the request for a new contract for pickup sweeping with the lowest responsible bidder to be determined subsequent to the bid opening and the necessary resolution was authorized for the April 17th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Belden questioned if the County had a pickup sweeper and Mr. Lamy replied in the negative, noting that if he was able to save enough money through bond equipment purchases he might consider requesting this purchase in the future.

Mr. Lamy advised that the final New Business item listed pertained to a request made by the County Attorney's Office that he advise the Committee of recent interest in locating cellular phone towers on County-owned property which had the potential to become a revenue source. He said that the County Attorney's Office intended to prepare an RFP (Request for Proposal) for use of County-owned property for tower construction and further information would be forthcoming.

Concluding the agenda review the listing of referral items were addressed as follows:

1. With respect to the Corinth Road Project, Mr. Tennyson apprised that they had secured signed purchase agreements for 78 of the 92 necessary properties, all but 8 of which have been closed on. He said that the remaining 8 would be candidates for condemnation actions which the consultants have begun initial court proceedings to attain. Mr. Tennyson advised that the condemnation process took 60 to 90 days from the start of the process. Mr. Belden questioned if the Corinth Road Project would be bid in 2010 and Mr. Lamy replied affirmatively, noting that Federal authorization to advertise bids was required by no later than September 15, 2009 to avoid losing all Federal funding granted in connection with the Project. Mr. Stec announced that the Town of Queensbury had secured 69 of the 86 properties they required in connection with the Corinth Road Project and they felt there were approximately 14 properties that would require a condemnation action to acquire. Mr. Champagne questioned if the Project was in line to meet the September 15th deadline and Mr. Lamy replied affirmatively. He added that although there was some reason to be nervous about meeting the deadline, the Project was moving along as quickly as the law allowed;
2. Mr. Lamy noted that the Budget Performance Report had been addressed at the beginning of the meeting;
3. No update was provided with respect to NYSDEC (New York State Department of Environmental Conservation) work requests at Scaroon Manor;
4. No update was provided with respect to NYSDEC violations at the North Creek Fuel Farm;
5. No update was provided with respect to the Stormwater Officer position;
6. Mr. Tennyson stated that the utility placement issues concerning the Milton Avenue Bridge seemed to be reaching a resolution as draft agreements had been received from both Verizon and Time Warner Cable. He said that they were set on where the poles and lines would be moved and they had been working with Verizon as they had a sizable wire that had to be moved across the River and

- could not have the same span between utility poles as National Grid was able to. Mr. Tennyson advised that they had been working with the Town and had determined that they could use a water line under the river to run the Verizon line and the Town could then abandon the line when a new one was installed along the bridge. He noted that the utility agreements had been reached subsequent to a meeting held with Town officials in January during which Mr. Geraghty had been instrumental in reaching agreements with the utility companies. Mr. Lamy added that Mr. Geraghty had also assisted by meeting with property owners to determine the placement of utility poles and the Town had recently passed a resolution authorizing Verizon's use of the under-water line;
7. An update on the possible relocation of the Middleton Bridge was combined under referral item 10;
 8. No update was provided regarding a possible increase in the maintenance cost charged to the Towns and County for use of the County fuel farm;
 9. No update was provided regarding the request to fill the vacant position of Information System Manager;
 10. Mr. Lamy advised that during their prior meeting the Committee had directed the County Attorney's Office to research and determine the plausibility of using NYSDEC property for relocation of the Middleton Bridge. He said that subsequent to the County Attorney's assessment, it had been determined that a constitutional amendment would be required to use the NYSDEC property which was very difficult to obtain. Mr. Lamy added that at this point it would appear that moving the bridge was not a viable option and a determination had to be made as to whether or not the bridge should be replaced. He noted that neither Mr. Bentley nor Mrs. Simmes, both of whom were very interested in the future of the bridge as it served their Towns, were present to discuss the matter and he suggested that further discussion on the matter be pended until the next Committee meeting when they were in attendance. Mr. Champagne asked Mr. Lamy for his recommendation on the future of the bridge and Mr. Lamy replied that it would be very difficult to obtain a constitutional amendment and he felt that redundant bridges were helpful as they were used frequently when detour routes were necessary. Chairman Monroe pointed out that they should not rule out the possibility of a constitutional amendment as although it was a time consuming process that required the approval of two successfully elective Legislative Sessions which would take about two years and would be on a State-wide referendum, other Counties had successfully achieved them. He added that there was a considerable amount of support for a blanket amendment that would allow Municipalities to use property for building bridges and such without foregoing the more difficult process currently required. Chairman Monroe concluded that if moving the bridge was the best option he felt it should be pursued and he said he agreed that further discussion should be delayed until all interested parties were present to voice their opinion on the matter. It was the consensus of the Committee that the issue would be discussed further at a future Committee meeting when both Supervisors Simmes and Bentley were present;
 11. Mr. Lamy advised that he had received the RFP responses for the Solid Waste Management plan and himself, Mr. Dusek, Mr. Tessier, Mr. Champagne and Chairman Monroe would be meeting in the near future to review them and make a recommendation for the Committee which would be presented at a future meeting;
 12. Sunnyside Road was currently weight posted, Mr. Lamy stated, and he said he had yet to make a final determination as to how the posting would be handled once the spring season was over and he would return to the Committee with his recommendation at the next meeting;
 13. Mr. Lamy noted that an update on the status of reports on lead and asbestos abatement in the old Jail and Sheriff's wing should be removed from the DPW referral listing and should be included under County Facilities.

Mr. Belden questioned if the invoicing for the fuel farm had been caught up and Mr. Lamy replied in the negative. He advised that they would resume this work once the design work was completed for the Stony Creek Rail Station platform as directed by the Committee.

A brief discussion ensued.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Stec and seconded by Mr. Goodspeed, Mr. Belden adjourned the meeting at 11:34 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist