

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS - DPW

DATE: OCTOBER 27, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
BENTLEY
TESSIER
STEC
CHAMPAGNE
TAYLOR
GOODSPEED
PITKIN

OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
JEFFERY TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING
FREDERICK MONROE, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS GIRARD
O'CONNOR
STRAINER
THOMAS
VANNESS
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS
JULIE PACYNA, PURCHASING AGENT
BILL BROWN, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR MERLINO

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

Motion was made by Mr. Bentley, seconded by Mr. Pitkin and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

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

Mr. Lamy began the agenda review by noting the retirements of two Public Works employees, Larry Fazel and Walt Harpp. He apprised that Mr. Fazel was a long-time employee of the Parks, Recreation & Railroad Department, with over 15 years of service to the County. Mr. Lamy stated that Mr. Harpp had served almost twenty years with the County and had most recently been employed as an Auto Mechanic Helper. He outlined some of the accomplishments of each employee and thanked Messrs. Fazel and Harpp for all their past hard work, noting that they would be missed.

Mr. Belden congratulated both retirees and thanked them for their past service to the County; he then presented Messrs. Fazel and Harpp with a Certificate of Appreciation and wished them the best in their respective retirements. A round of applause was given in acknowledgment of the occasion.

Moving on to the next agenda item, "County Nurse - Tree Removal", Mr. Lamy apprised of a situation that had occurred during the prior week when himself and his wife had been traveling in their personal vehicle after work hours and had been impeded by a fallen tree. He explained that while he was attempting to move the tree, a County Nurse had also driven up to the scene and had immediately offered her assistance in removing the tree. Mr. Lamy stated that between himself, his wife and the Public Health Nurse, they were able to clear the tree from

the road and restore the flow of traffic. Upon returning to work the following day, Mr. Lamy said that he had contacted Pat Auer, Director of Public Health, to apprise her of the occurrence and express his appreciation of her staff's efforts and he had discovered that the Nurse's name was Melody Smith. He stated that he was very appreciative of Ms. Smith's desire to provide assistance and wanted to express to the Committee the dedication and efforts being offered by County staff even when confronted with issues outside of the realm of their expertise.

Mr. Lamy announced that the next agenda item referred to a review of the Budget Performance Report that was distributed along with the agenda, a copy of which is on file with the minutes. He said that he had underlined all of the salary codes within all divisions of the budget, but felt there was only one section that required immediate attention. Mr. Lamy stated that a transfer of funds would be required to cover a shortage in the Public Works Administration budget, Code A.1490 110, caused by salary expenditures incurred by the newly created Administrative Assistant Position. He explained that although the previous position had been deleted from the Highway Administration, Code A.5010 110, the associated funding remained in that code and needed to be transferred to the Public Works Administration Code to cover the salary costs for the Administrative Assistant position. Mr. Lamy pointed out that no new monies were being requested, he was simply requesting authorization to transfer existing monies between codes.

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

Mr. Lamy directed the Committee members to page 16 of the Budget Performance Report, to the Snow Removal, Code 5142, section. He pointed out that 54% of the Regular Salaries budget, Code A.5142 110, had been expended, as well as 44% of the Overtime Salaries budget, Code A.5142 120. Mr. Lamy stated that he felt the funds remaining in these Codes would be sufficient to cover the remainder of the year, assuming there were no significant storms during that time. Moving on to Code A.5142 410, Supplies, Mr. Lamy apprised that road salt was purchased from this code and that \$219,490 had been expended so far for 2009; he added that the majority of the remaining funds had been encumbered for supplies to be used during the upcoming winter season.

Referring to the Automotive Gas & Oil budget, Code A.5130 442, reflected on page 21 of the Budget Performance Report, Mr. Lamy noted that only 34% of the total budget had been expended thus far in 2009. He reminded the Committee that at the time the 2009 Budget was developed, fuel prices had been very high; therefore, he said, an inflated figure had been included in the 2009 Budget to account for the escalating fuel prices anticipated at that time. Mr. Lamy added that unless an uncontrollable event were to occur which would drastically increase fuel prices or consumption, he did not foresee the remaining funds in the Automotive Gas & Oil budget being expended. He further noted that a reduction of \$50,000 to this code had been made for the 2010 Budget.

Chairman Monroe stated that he had heard varying reports as to the reduction in the Public Works workforce and he asked Mr. Lamy to verify the number of staff the Department had in the past, as compared to the current staffing figures. Mr. Lamy apprised that in 1995 the Public Works Department had included 169 staff members and currently sustained 117. However, he noted, it was important to remember that in 1995 the County had operated a recycling center and had also been responsible for plowing some State roads, and more County roads, during winter months than they did currently. Mr. Lamy advised that the manner in which the Public Works Department operated had changed commensurate with the reductions in staffing. He stated that the Public Works Department had been reduced by 18 staff members over the past 15 months, which he estimated had subsequently lowered the Departmental payroll by approximately \$750,000. Mr. Belden interjected that he did

not feel it was appropriate to further reduce funding or staffing within the Public Works Department as this might cause a threat to public safety through a lack of road maintenance.

Mr. Lamy circulated a photo of the Heath Road Bridge located in the Town of Johnsburg, a copy of which is on file with the minutes. He apprised that the bridge rehabilitation project was being completed by DPW staff in connection with some specialized building by the Parks, Recreation & Railroad Department. Mr. Lamy added that the rehabilitated bridge should last about 30 years and they had saved the County approximately \$95,000 by doing work in-house instead of contracting the job to an outside source. He noted that as the Public Works workforce continued to be reduced, it would be difficult to expand upon the bridge rehabilitation efforts but they would certainly attempt to maintain them. Jeffery Tennyson, Deputy Superintendent of Engineering, interjected that the bridge decking had recently been completed and staff were now working on the curbing and would install the railings by the end of the week; he added that he expected the bridge to be reopened during the following week. If the weather allowed, Mr. Tennyson apprised that an asphalt overlay would be applied to the bridge prior to the winter season to extend its useful life, otherwise it would be applied in the spring.

Mr. Lamy stated that the County bridges had been reviewed to identify scour issues under abutments and wing walls which could be rectified to allow the bridges a longer useful life, although this work would take a little effort and some County funding to complete. He noted that they had saved a bridge on Hudson Street in the Town of Johnsburg through these efforts and had lined up a number of projects for 2010 along these lines. Mr. Tennyson apprised that there was a significant amount of work to be done and he anticipated that the budget for bridge repairs would be expended before all of the work identified was completed; therefore he said, they were trying to use the funds appropriated wisely in order to complete as many projects as possible with the limited funding available. Mr. Tennyson announced that the replacement of the Chattermack Road Bridge superstructure was the largest of the bridge projects planned for 2010 and there were a number of smaller bridge repair projects to be considered also. He noted that materials were being recycled from bridge projects in order to reduce project costs, such as cut stones and steel beams which might not be appropriate for some bridges but perfect for others.

Mr. Belden asked how many bridges were maintained within Warren County and Mr. Lamy replied that there were 57 highway bridges and 12 railroad bridges, as well as four major culverts on the railroad, which required maintenance.

Resuming the agenda review, Mr. Lamy apprised that he had recently contacted Paul Dusek, County Attorney, regarding a piece of property in question which was associated with the Corinth Road Project and he asked Mr. Dusek to explain the issue to the Committee. Mr. Dusek stated that a notice of claim had been filed against the County by the owners of the U-Haul property located on Corinth Road concerning the value attached to the parcel by the County's appraisal process. He advised that litigation would be involved and a new appraisal would be required for the U-Haul property, as well as for the two or three other properties anticipated to be filing claims. Mr. Dusek said that the County had been using R.K. Hite for the Corinth Road property appraisal process and he suggested that they continue with this company for the additional appraisals. Mr. Lamy noted that they had yet to receive a proposal from R.K. Hite for the additional appraisals and was unsure whether a new contract would be required or if the existing R.K. Hite contract could be amended once a proposal was received. Mr. Dusek responded that there would be an additional cost for the appraisals and he suggested that the Committee provide himself and Mr. Lamy the leeway to develop the appropriate resolution for presentation at the November 20th Board meeting.

Mr. Bentley questioned whether this process would delay the Corinth Road Project and Mr. Dusek replied in the negative, noting that the Court system had already awarded control of the property to the County. However, he explained, part of the process required the County to make an offer on the property and some of the sellers were refusing the offer and wanted to litigate the value determined by the County. Mr. Lamy apprised that a similar situation had occurred in connection with the Town of Hague Sewer Project, in which they had been able to proceed with construction on the Project and eventually arrived at a mutually agreeable purchase price further into the Project.

Motion was made by Mr. Goodspeed, seconded by Mr. Stec and carried unanimously to authorize Messrs. Dusek and Lamy to work together in developing the resolution which would appropriately cover the needs of the Department in allowing for additional appraisals for property along the Corinth Road Project route. *Note: Subsequent to the meeting it was determined that no action was necessary and Mr. Lamy would provide an update on the matter at the next Committee meeting.*

Mr. Lamy directed the Committee members to page 2 of the agenda which included a request to authorize the Chairman of the Board to sign a contract with CT Male Associates for an extra work authorization in the amount of \$10,000 in connection with the Town of Bolton Sewer Project. He explained that the extra work authorization was necessary pursuant to a lack of a timely response from NYSDOT (New York State Department of Transportation) to the Project plans and specifications produced and submitted by CT Male Associates in March of 2009. Mr. Lamy stated that they did not receive any indication as to NYSDOT approval of the plans until after the construction bids for the project had been released and although the revisions required by NYSDOT would not delay the bidding or contract award, additional work would be required of CT Male Associates to make the revisions, which would incur additional costs to the County. He advised that the project was considerably under budget and if the end costs exceeded the total of the grant awards received in connection with the Project, the financial obligation would be transferred to the Town of Bolton. Mr. Lamy said that Mrs. Simmes, Supervisor for the Town of Bolton, was aware of this issue.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the November 20th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy stated that the next topic for discussion was the County Road Project schedule and he noted that they were close to finalizing the list of projects that would be completed in 2010. He said that Mr. Tennyson and the engineering staff had been evaluating the projects and methods that would be used to extend the life of the infrastructure in the most economic means possible. Mr. Lamy apprised that he had discussed the issue with both JoAnn McKinstry, Deputy Commissioner of Administrative & Fiscal Services, and Rick Murphy, Deputy Commissioner of Fiscal Services, and was aware that the 2010 Road Project listing, including dollar amounts, had to be finalized before the tentative 2010 Budget was adopted. Mr. Lamy stated that the total for projected 2010 highway projects was currently approximately \$1.5 million and they were working diligently to further reduce that figure to meet the project budget, which consisted solely of the \$1.38 million in CHIPS (Consolidated Highway Improvement Program) funding allocated by the State, in order to submit the information prior to the deadline cited.

Chairman Monroe apprised that himself, Kevin Geraghty, Budget Officer, and Mr. Murphy had discussed the possibility of funding any capital projects not receiving CHIPS funding by way of a one year bond anticipation note in order to shift some savings from 2011 to the 2010 budget year as they expected to benefit from

substantial reductions in costs from the Burn Plant in 2011, some of which could be used to cover the costs of the bond. He stated that he had discussed this possibility with Mr. Dusek, who had advised that this was something that the County was legally able to do. Mr. Pitkin interjected that the savings anticipated from the Burn Plant were being planned for a number of different uses and he was worried that they were overspending the funds before they were even received. Chairman Monroe replied that no formal decisions had been made to commit the anticipated savings so far, although a number of suggestions had been made. He added that a savings in the area of \$5 million was anticipated for 2011 and it would be sensible to utilize a portion of these funds to alleviate some of the 2010 Budget issues through a one year bond anticipation note.

Frank Morehouse, Superintendent of Buildings, entered the meeting at 9:58 a.m.

Mr. Champagne stated that he was not in favor of funding any projects outside of those that would be covered by CHIPS funding, regardless of the revenue source identified. He added that he was not in favor of taking on any additional projects through the use of bond anticipation notes and would prefer that the project be delayed until such time that the County had sufficient capital available to fund them. Referring to the Corinth Road Project which would require a 5% Local Share for construction costs incurred in 2010, Mr. Champagne questioned whether payment of the Local Share costs could be delayed until 2011 when the savings from the Burn Plant were realized. Mr. Lamy replied that by delaying payment, they would also be delaying projects and he was concerned that these practices might affect the availability of grant funding to the County in the future if construction work associated with the projects was not completed on time.

Mr. Dusek pointed out that a \$7 million bond had already been authorized for the Corinth Road Project to be used for cash flow in connection with the Project. He said that these funds could be used to cover the 5% Local Share and then pay these monies back in 2011 when the savings from the Burn Plant were available for use.

Chairman Monroe stated that it was important to remember that the County had to maintain its infrastructure and there were highway projects that could not continue to be delayed. For instance, he said, there was a bridge project in the Town of Chester that was supposed to be addressed in 2006 or 2007 and was still being delayed. He added that this was causing an additional problem for the Town of Chester as there was a second bridge beyond the one to be repaired by the County which could not be addressed as they were unable to transport the heavy equipment necessary to do the work across the County bridge. Chairman Monroe advised that although the bridges were located on a dead end road, there were people who lived beyond the bridges and required them to access their homes.

Messrs. Girard, O'Connor and VanNess entered the meeting at 10:05 a.m.

Discussion ensued.

Mr. Geraghty cautioned the Committee that it was not advisable to postpone Local Share payments until the close of the Capital Projects as 2010 would not be an easy budget year for the County. He said that it was more sensible to make the Local Share payments along the life of the Projects in order to avoid the requirement of a large lump sum at their completion.

Resuming the agenda review, Mr. Lamy announced that the final item listed under the New Business section pertained to the Snow and Ice Plan for the upcoming winter season. He said that he had met with the Construction Foreman to discuss operations for the winter season, as well as to review the plans for one-person

plowing. Mr. Lamy noted that this would be the first season in which one-person plowing crews were implemented and they continued to train and work with staff to prepare them for this routine. He added that as the winter season progressed, they would learn what worked best for the County and adjust their procedures accordingly.

Mr. Lamy stated that the next section of the agenda consisted of Items of Interest, specifically various contract extensions which were included on pages 8-23. As there were no immediate inquiries to any of the items listed, he asked the Committee members to peruse the contract renewals at their leisure and contact him with any questions they might have.

Concluding the agenda review, Mr. Lamy reviewed the listing of referral items which he outlined as follows:

1. The Corinth Road Reconstruction Project was discussed earlier in the meeting;
2. The Budget Performance Report was presented and discussed earlier in the meeting;
3. Mr. Lamy advised that he had no new information to report respective to NYSDEC (New York State Department of Environmental Conservation) requests for work at Scaroon Manor;
4. Regarding NYSDEC violation citations at the North Creek fuel farm, Mr. Dusek apprised that throughout the year he and Mr. Tennyson had worked with NYSDEC on this matter; however, he said, it seemed that each time a response was submitted, NYSDEC developed additional questions or more buried tanks had been discovered which prompted additional inquiries. Mr. Dusek stated that at this point it appeared that a final response was required to end the process and he and Mr. Tennyson were working to develop an appropriate response to end the process, subsequent to which a decision would be made by NYSDEC as to what the citation would be. Mr. Tennyson added that he had recently reviewed some revised closure reports with the contractor that had provided closure work for the tank found buried at the Airport, as well as a closure report for the tank recently removed from the Municipal Center Campus. He said that he would be formulating comments to accompany both closure reports which he would forward to the County Attorney's Office upon completion. Mr. Dusek said that he hoped this would be the end of the year long process;
5. Mr. Lamy stated that he had no new information to present relative to the Stormwater Officer or Hazard Mitigation Coordinator positions;
6. With respect to the Milton Street Bridge Project, Mr. Tennyson apprised that construction bids for the Project had been advertised and the associated plans and specifications were being offered to bidders in compact disc form. He said that they had distributed about 40 copies of the disc, some of which were to suppliers who were curious about the Project but would not place a bid for their services. Mr. Tennyson stated that offering the bid documents in compact disc format was a new process that had also been used for the Corinth Road Reconstruction Project, and was a less expensive way to distribute the information to anyone seeking it. He concluded that bids for the Milton Street Bridge Project would be awarded within the next month or so;
7. Mr. Lamy stated that he had no new information to present relative to the Middleton Bridge Project;
8. Regarding the Committee's prior authorization for DPW staff to proceed in building a new sign for the Municipal Center Building, Mr. Tennyson advised that DPW staff continued to work with suppliers in order to obtain the correct materials at an appropriate price. He added that the sign would be based upon the design previously approved by the Committee and their goal was to construct the sign over the winter months and to place the foundation for the sign in the spring;
9. Mr. Lamy announced that they had determined that the swap of generators between the Human

Services Building and the DPW Maintenance Shop would not be beneficial. He explained that the generator at the Maintenance Shop was not large enough to power the entire Human Services Building as previously thought; therefore, he said, there was no need to switch the units.

Mr. Belden apprised that the contracts held with the individual towns for snow removal and mowing had been reduced by 5% during the 2010 Budget negotiation process. He noted that any of the towns that were unhappy with the reduced funding figures should contact Mr. Lamy directly to make arrangements for the County to assume the responsibilities associated with the contracts.

Julie Pacyna, Purchasing Agent, entered the meeting at 10:22 a.m.

Mr. Geraghty questioned whether the 5% reduction had been applied solely for mowing contracts or for snow and ice removal, as well. Mr. Lamy responded that he had been directed to reduce both contracts by 5%, and he had followed this direction. He added that this action essentially reduced funding to the level appropriated in the 2008 Budget and copies of this information could be distributed to anyone wishing to review it.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Stec and seconded by Mr. Bentley, Mr. Belden adjourned the meeting at 10:23 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist