

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS - DPW AND PARKS, RECREATION & RAILROAD

DATE: FEBRUARY 28, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY
MERLINO
MONROE
WOOD
TAYLOR
FRASIER
DICKINSON
MASON

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
PAUL BUTLER, DIRECTOR OF PARKS, RECREATION & RAILROAD
KATE MANCE, ADIRONDACK/GLENS FALLS TRANSPORTATION COUNCIL
STEVE TORRICO, GENERAL MANAGER, SARATOGA NORTH CREEK RAILWAY
DANIEL G. STEC, CHAIRMAN OF THE BOARD
JOAN SADY, CLERK OF THE BOARD
JOANN MCKINSTRY, ASSISTANT TO THE COUNTY ADMINISTRATOR
KEVIN GERAGHTY, BUDGET OFFICER

COMMITTEE MEMBER ABSENT:

SUPERVISOR CONOVER

SUPERVISORS KENNY

LOEB
STRAINER
THOMAS

JULIE PACYNA, PURCHASING AGENT
JONATHAN ALEXANDER, *THE POST STAR*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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

Motion was made by Mrs. Wood, seconded by Mr. Monroe 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 Paul Butler, Director of Parks, Recreation & Railroad, who distributed copies of the meeting agenda to the Committee members; *a copy of the agenda is also on file with the meeting minutes.*

Commencing the agenda review with the first item listed, Mr. Butler introduced Kate Mance, of the Adirondack/Glens Falls Transportation Council (A/GFTC), who was in attendance to discuss the Warren County Bike Plan developed by the A/GFTC. Ms. Mance gave a powerpoint presentation on the Plan in its draft form, a copy of which is on file with the minutes in CD format. During her presentation, Ms. Mance expressed that the goal of the Plan was to provide framework for future improvements which would result in a more expansive and comprehensive network of bicycle facilities in Warren County.

Following a brief discussion on the presentation, it was the consensus of the Committee that the matter would be tabled for additional consideration at their next meeting in order to give the Committee members an opportunity to review the Plan further before providing their consent of the document and passing it on for final approval at the April Board meeting. Ms. Mance asked the Committee members to contact her with any questions or concerns they might have in their review.

Moving on, Mr. Butler announced that the next agenda item pertained to the Make the Connection grant awards received from the A/GFTC. Jeffery Tennyson, Superintendent of Public Works, interjected that they had initially submitted grant applications for four different projects and had been awarded funding for three, as follows:

1. \$11,500 in grant funding for improvements to the Warren County Bikeway highway crossings to include striping and shoulder backup materials. This grant required a \$3,500 Local Share which

2. would be provided through in-kind services;
2. \$10,000 in grant funding to improve Bikeway connections that had been considered informal in the past, such as those located at Cameron and Lawton Avenues in the City of Glens Falls, allowing paved pathway connections to be constructed; and
3. \$80,000 in grant funding for establishment of a sidewalk on the south side of West Brook Road. This grant required a \$20,000 Local Share which would be provided through in-kind engineering and surveying services.

In reference to the third grant opportunity listed, Mr. Tennyson noted that plans were in place to restructure West Brook Road to convert one of the existing one-way lanes into a municipal parking lot and the other into a two-lane road, with the sidewalk being placed on the side nearest to Battlefield Park. He added that the Bikeway improvements would be addressed during the 2012 construction season; however, he noted, he was unsure whether the West Brook Road sidewalk would be constructed in 2012 or delayed until 2013, due to the considerable amount of construction work planned for that area through the West Brook Road Parking Lot and Beach Road Reconstruction projects.

Mr. Butler advised the next agenda item consisted of a request to authorize after-hours use of the Bikeway on September 28, 2012 for the Ragnar Relay Adirondacks 2012 event. He pointed out that the agenda included an extensive description of the event, as well as a map of the race route, indicating that the 200-mile race would be run through the night. Mr. Butler explained that Committee action was necessary to authorize this use as the Local Law governing the Bikeway stated that it was open to the public only during daylight hours, unless otherwise approved by resolution. Mr. Tennyson added that the relay race would begin in Saratoga Springs, NY and continue to Lake Placid, NY with intermittent transition points for runner changes. He said they were satisfied with the safety measures imposed by the race directors which would include wearing of reflective vests and headlamps during the night hours and race monitors bicycling along the race route to ensure the runners were tracking well. Mr. Tennyson advised that all race participants were required to follow the rules of the road, making the impact not much different than that created by area residents running at night. He noted that the Municipal Center parking lot would be used as a runner transition point.

Motion was made by Mrs. Wood and seconded by Mr. Taylor to approve the aforementioned request.

Mr. Taylor questioned whether assistance from the Sheriff's Office would be required during this event for traffic control and Mr. Tennyson responded that assistance would only be required if large groups of runners were traveling together, which they did not foresee occurring as the race would stagger the runners so that small groups would leave the starting point every 15 minutes or so. Mr. Butler noted that use of the Bikeway would likely occur between the hours of 2:00 p.m. and 2:00 a.m.

There being no further discussion on the matter, Mr. Bentley called the question and the motion was carried by unanimous vote and the necessary resolution was authorized for the March 16th Board meeting. *A copy of the request is on file with the minutes.*

Continuing to the next agenda item, Mr. Butler advised that Steve Torrico, General Manager of the Saratoga North Creek Railway (SNCR) was in attendance to provide an update on operations. Mr. Torrico said that during the prior week, which included the President's Day holiday, SNCR had transported approximately 194 passengers on the snow train, accumulating a total of over 750 passengers transported since its inception. He advised that SNCR was very happy with these results, regardless of the lack of snow in the area. Mr. Torrico apprised that he had worked as a conductor for the snow train during the prior week and had been very surprised to see the number of

young riders taking the train to Gore Mountain who thought it was a very cool mode of transportation as it saved gas and they could get breakfast on the train during their trip. He concluded that there had been no mechanical failures or breakdowns during the past month and all trains had been running on time.

Mr. Monroe asked if patrons were able to purchase tickets in connection with Amtrak routes to allow them to travel to North Creek from points further south than the Saratoga Station and Mr. Torrico replied that negotiations with Amtrak were currently ongoing to allow for "through ticketing" and although he was not directly involved with these efforts, it was his understanding that they were going very well and should be completed soon. Mr. Monroe then questioned whether there was any indication as to how many patrons were taking the train from New York City to North Creek and Mr. Torrico replied that they did not have a definitive number but said the small number they were aware of was a good start and the number was building slowly. Mr. Tennyson apprised there were a number of consultants using train transportation to travel from Albany in light of the ability to travel without losing productivity by using wifi capabilities and he said he wondered how that use might translate to this area.

A brief discussion ensued.

Mr. Tennyson said he had received a call from Ed Ellis, President of Iowa Pacific Holdings, LLC/SNCR, relative to the track improvement plan presented at the prior month's Committee meeting. He said their discussions had been very positive and he felt they had addressed the majority of the concerns expressed by the Committee and would be returning to present revised information at the next meeting.

Moving on, Mr. Butler addressed the Items of Interest section of the agenda, as follows:

1. The Up Yonda Farm had received \$2,000 in grant funds from the Glens Falls Foundation in an attempt to provide more outreach programs to area schools, Mr. Butler said.
2. Mr. Butler apprised that the annual Pancake Breakfast & Maple Festival at Up Yonda Farm would be held on Sunday, March 4th and he noted that the agenda included a flyer listing the specifics of the event.

Concluding the agenda review, the Referrals section was addressed, as follows:

1. Mr. Tennyson advised that no update was available relative to the Committee's request for the County Attorney's Office to research the property owned jointly by Warren County and the Town of Johnsbury to determine whether sale or transfer of said property to the Town of Johnsbury was appropriate;
2. A positive meeting had been held with Tanya Tobias-Tomas, Mr. Tennyson said, regarding her concerns with railroad operations near her property. He advised they would reach out to SNCR in an attempt to mitigate some of the issues cited and then follow up with Ms. Tomas, once again;
3. With respect to a prior request from SNCR for use of high rail vehicles and equipment owned by the County, Mr. Butler advised that SNCR had since purchased their own equipment and were no longer seeking use of the County's. Therefore, he added, this item could be deleted; and
4. Mr. Tennyson noted that revisions to the Capital Improvement and Cost Sharing Plan previously presented by Iowa Pacific would be addressed at the next Committee meeting.

Referring to the high rail equipment owned by the County, Mr. Bentley questioned what purpose it would serve to the County and Mr. Tennyson replied that he was unsure whether there were any circumstances where it could be used as the County did not have any personnel authorized to operate it on the rail line now that it was a live transportation route. He said he would research the matter to determine whether there was a prospective use for the equipment or if it should be sold.

There being no further Parks, Recreation & Railroad business to discuss, privilege of the floor was extended to Mr. Tennyson who distributed copies of the DPW agenda to the Committee members. *A copy of the DPW agenda is also on file with the meeting minutes.*

Mr. Tennyson announced that the first agenda item listed pertained to DPW motor fuel usage and he noted that pages 1-3 reflected charts detailing use from 2005 to date. He said that if fuel costs and use remained consistent, the budget could be maintained; however, he added, a \$.10 increase in fuel prices equated to an increase of approximately \$10,000 in fuel usage costs. Mr. Tennyson stated there were a number of variables to consider when estimating overall costs, including prices and usage, as was shown in the charts provided. He said they would continue to monitor fuel usage and costs and provide updates to the Committee.

Agenda page 4 consisted of an overtime analysis for all Public Works Divisions, Mr. Tennyson advised. He said the overtime use totals reflected in the chart were commensurate with the relatively mild winter season.

Mr. Tennyson directed the Committee members to agenda page 5 which reflected a request for an intermunicipal agreement with the Village of Lake George for operation of the County-owned Beach Road parking lot. He advised that in the course of work related to securing right-of-way (ROW) acquisitions for the Beach Road Reconstruction Project they had discovered that the County maintained ownership of the parking lot, but by virtue of Resolution No. 50 of 1952, had authorized the Village to install parking meters and collect revenues from them. Mr. Tennyson stated that in recent discussions with Robert Blais, Mayor of the Village of Lake George, a proposal had been presented to authorize continued Village operation of the parking lot to include the following concessions:

1. The Village would continue to maintain, collect and enforce the Beach Road parking lot and parking regulations;
2. The Village would remit 25% of the annual gross proceeds received to Warren County;
3. From the first payment to the County, the Village would deduct a one-time fee of 25% of the cost of two new Pay & Display stations capable of accepting credit card payments, thereby enhancing collections at the lot; and
4. The proposed term for this agreement was five years, if agreeable to the County.

Mr. Dickinson questioned whether there was any way in which to verify the parking revenues collected and Mr. Tennyson advised that the Pay & Display station meters generated receipts that could be audited. Mr. Monroe noted that the West Brook Road parking lot initiative was lacking approximately \$50,000 in funding which could be offset by revenues received through the intermunicipal agreement. Mr. Tennyson advised that based on prior indications provided by Mayor Blais relative to parking revenues received, he would estimate the County's 25% annual gross share of collections to be in the range of \$50,000 to \$60,000; he added that the Village intended to increase the parking fees, which would increase the County share, as well. Mr. Tennyson then confirmed that the West Brook Road municipal parking lot construction project was lacking funding and the revenues received through the intermunicipal agreement could be used for this purpose.

Motion was made by Mr. Dickinson and seconded by Mr. Merlino to approve the request for an intermunicipal agreement with the Village of Lake George as outlined above.

In response to a question posed as to what would happen when the initial five-year agreement term concluded, Mr. Tennyson advised they could either choose to renew the agreement, or the County could take over the parking lot operations. He then pointed out that there was no intermunicipal agreement currently in place and the County could decide to take over the parking lot operations immediately, rather than agreeing to the terms proposed.

Mr. Merlino stated that the Village was accustomed to collecting revenues from the parking lot and depended on them when developing their budget; therefore, he added, he did not feel it was fair to impose an immediate takeover of the parking facility as they would need time to adjust accordingly. Mr. Monroe suggested that the intermunicipal agreement be delayed as this might be an opportunity to negotiate parking revenue collections for the proposed West Brook Road parking lot, as well. Mr. Tennyson cautioned the Committee that the Village needed clarification on this issue in the near future as they were working to develop their operating budget and needed to know whether or not to include the parking lot revenues, which represented a substantial amount of money.

A brief discussion ensued, following which motion was made by Mr. Monroe and seconded by Mr. Mason to table the issue until further discussions with the Village could be held. The motion to table failed due to lack of support from any other members of the Committee.

Chairman Stec asserted that he had discussed this issue with Mayor Blais and was comfortable with addressing the Beach Road and West Brook Road parking lot issues through separate agreements. Mr. Merlino noted that the agreement would only be for the initial five-year term, following which alternate negotiations could be made.

Mr. Bentley called the question and the prior motion to approve the request for an intermunicipal agreement with the Village of Lake George was carried unanimously and the necessary resolution was authorized for the March 16th Board meeting. *A copy of the request is on file with the minutes.*

Continuing, Mr. Tennyson apprised that the next agenda item consisted of an update on the Beach Road Reconstruction Project. He said a bid opening had been held on the prior Friday for construction inspection consultant services which they were still reviewing the bids for and would likely seek to award the contract through a post-Committee request prior to the March 16th Board meeting. Mr. Tennyson explained that because this was a Federal-aid project, the consultant selection was qualification based with fees, hours and rates pre-approved by NYSDOT (New York State Department of Transportation) according to ranges identified by consultant overhead rates and charges for certain levels of engineering support. He said the number of hours sought for inspection services would be determined, following which NYSDOT and Federal Highway Administration (FHA) approvals would be sought and finally a grant amendment developed to include the appropriate funding amounts and split with 80% Federal, 15% State and 5% Local Shares. Mr. Tennyson advised they would try to proceed quickly on this contract in order to begin construction in the upcoming spring/summer season; he added that he was not prepared to seek approval to award the contract because the consultant had not yet been selected, nor were the cost and scope of work proposals available.

Kevin Hajos, Deputy Superintendent of Public Works, stated that bids for construction services related to the Beach Road Reconstruction Project would be released on Saturday, March 2nd and would be accepted until the bid deadline scheduled for March 29th; he said they expected the contractor to be on board and ready to begin working on the Project by May 15th. Mr. Hajos advised that they had reached out to both the Town and Village of Lake George in order to coordinate construction operations around any significant events scheduled throughout the year in order to cause the least impact to them. He said he believed they had developed a good schedule to work around which would allow work on the Route 9L end of Beach Road, and possibly the beginning of West Brook Road where it connected with Beach Road to be completed, in 2012, with the rest of the road being completed either during the fall of 2012 or the spring of 2013. Mr. Hajos advised they anticipated the entire project would be completed by November of 2013.

Mr. Hajos then presented a request for a new contract for construction services in connection with the Beach Road Reconstruction Project with the lowest responsible bidder to be determined subsequent to the March 29th bid

opening. Mr. Tennyson interjected that they would review the bids submitted extensively to ensure the bid was balanced and included appropriate scheduling, but would need to award the bid prior to the April Board meeting in order to begin work as quickly as possible.

Motion was made by Mrs. Wood and seconded by Mr. Merlino to approve the request as outlined above.

Mr. Monroe questioned whether any new information had been received relative to construction on the State-owned section of Beach Road and Mr. Tennyson responded that discussions on this issue had been held with representatives of both Senator Little and Assemblywoman Sayward's Offices. He added that the section of road owned by NYSDEC (New York State Department of Environmental Conservation) would be excluded from the Beach Road Reconstruction Project, but said they hoped improvements to that portion of road would be made in the near future. Mr. Monroe then asked if signage had been erected to note that the State-owned section of road was not maintained by the County and Mr. Tennyson replied affirmatively, advising that the signs had been placed during the prior fall season. Mr. Tennyson stated that this was an important road, used by residents and tourists alike, and they were working with NYSDEC to determine a method to fix the road and turn it over to an alternate party more capable of providing highway maintenance and repairs.

Mr. Bentley called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the March 16th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Hajos pointed out that the next three agenda items, included on pages 7, 12 and 20, all related to the Hicks Road (CR 52) Reconstruction Project and he proceeded to outline them as follows:

- Page 7 - Request to amend the existing contract with Greenman-Pedersen, Inc. for an amount not to exceed \$4,728 to include Supplemental Agreement No. 1 to add ROW incidental services;
- Page 12 - Request to amend the existing NYSDOT grant for an amount not to exceed \$30,782 (\$3,782 Federal Share and \$27,000 State Marchiselli Share) to include Supplemental Agreement No. 1; and
- Page 20 - Request to increase Capital Project No. H321.9550 280, Hicks Road (CR 52) Reconstruction Project in the amount of \$30,782.

Motion was made by Mrs. Wood, seconded by Mr. Taylor and carried unanimously to approve both the request to amend the existing contract with Greeman-Pedersen, Inc. and to amend the existing NYSDOT grant as outlined above and the necessary resolutions were authorized for the March 16th Board meeting. *Copies of both requests are on file with the minutes.*

Motion was made by Mrs. Wood, seconded by Mr. Taylor and carried unanimously to approve the request to increase Capital Project No. H321.9550 280, Hicks Road (CR 52) Reconstruction, as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson announced that the next agenda item consisted of a request to amend three resolutions approved at the prior Committee meeting to correct the contract terms listed in each. He explained that Resolution No. 111 of 2012, which authorized a contract with Hour Electric, included a term commencing March 1, 2012 and terminating February 28, 2013, but should have been for the term extending from January 1, 2012 though December 31, 2012; he added that the same contract terms should have been included on Resolution No. 118 of 2012, which authorized a contract with Clark Patterson Lee. Finally, Mr. Tennyson noted that Resolution No. 119 of 2012, authorizing a contract with Northeast Petroleum Technologies, Inc., indicated that the contract included a one-year term and allowed for two optional one-year extension terms, when in fact, the bid documents listed it as being a

three-year contract terminating on December 31, 2014. Mr. Tennyson concluded that a resolution was necessary to make the previously mentioned corrections to all three resolutions.

Motion was made by Mr. Merlino, seconded by Mr. Monroe and carried unanimously to amend Resolution Nos. 111, 118 and 119 of 2012 to correct the contract terms listed in each as outlined above and the necessary resolution was authorized for the March 16th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that the next four requests related to personnel matters which he had already discussed with Paul Dusek, County Administrator, and Kathy Barrie, Personnel Officer; he added that both Mr. Dusek and Mrs. Barrie concurred with all of the changes requested.

Agenda page 22, Mr. Tennyson stated, reflected a request to fill a Fish Management Specialist position which had been vacated due to resignation as the prior employee had decided to move outside of New York State to accept another job opportunity. He said this was a critical position and they were currently adjusting the schedules of other County employees to cover the duties of the Fish Management Specialist until the position was filled in order to maintain the fish population at the Fish Hatchery; he added that with Mr. Dusek's concurrence, the position had been advertised contingent upon Board approval. Mr. Tennyson pointed out that the annual salary for this position was listed as "to be determined" because the County was in the midst of a non-union position salary review that would set the compensation figure for this position and said he believed Mr. Dusek intended to address this issue at the upcoming Personnel Committee meeting.

Motion was made by Mr. Monroe, seconded by Mrs. Wood and carried unanimously to fill the vacant position of Fish Management Specialist with an annual salary to be determined, 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. Tennyson directed the Committee members to agenda page 23 which included a request to fill the vacant position of MEO (Motor Equipment Operator) Medium #21, annual salary of \$29,031, due to retirement.

Motion was made by Mr. Dickinson, seconded by Mrs. Fraiser and carried unanimously to approve the request to fill the vacant position of MEO Medium #21, annual salary of \$29,031, 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.*

Continuing, Mr. Tennyson pointed out that agenda page 24 reflected a chart outlining DPW personnel changes made for the 2012 Budget year, noting that those in the shaded area had already been approved while those in the non-shaded area were being presented for approval at the current meeting. He said the first request would be to delete the position of Heavy Equipment Operator, annual salary of \$37,180, in order to create and fill the position of MEO Medium #24, annual salary of \$29,031, which was one grade lower. Mr. Tennyson explained that the HEO position was currently vacant due to resignation and in reviewing the DPW's Table of Organization, he felt that the MEO Medium #24 position would better meet the needs of the Department.

Motion was made by Mr. Dickinson, seconded by Mr. Taylor and carried unanimously to approve the request to delete the position of Heavy Equipment Operator and create and fill the position of MEO Medium #24, as outlined above, and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

The second request outlined in the chart, Mr. Tennyson apprised, included reallocating the current Sign Maintenance Supervisor position from a Grade 10 to a Grade 15, increasing the associated salary from \$40,775 to \$45,198. He explained that this position was a part of the Highway and Bridge Traffic Crew which was responsible

for handling all signage on County roads, as well as road and crosswalk striping, in addition to setting up any complicated work zones such as those occurring when working on construction projects with heavy road traffic levels requiring major lane closures. Mr. Tennyson stated that in reviewing the Departmental structure, he was surprised to find that this position was only listed at a Grade 10 level, which belied the level of responsibility and expertise required. He said he would propose a reallocation of the position, making it one level below the Highway Crew Foreman as the Sign Maintenance Supervisor managed a crew of up to 12 staff depending on the work zone size. Mr. Tennyson reiterated that he had previously discussed this request with Mr. Dusek, as well as the appropriate CSEA Union representatives, who were also in favor of the reallocation and would need to provide their written approval of the change before it could become effective. He concluded that the change in salary would be covered within the existing budget and no additional funding would be required.

Motion was made by Mr. Dickinson, seconded by Mrs. Wood and carried unanimously to approve the request to reallocate the position of Sign Maintenance Supervisor as outlined above and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson apprised that agenda pages 27 and 28 included copies of letters received from the American Public Works Association (APWA) advising that the Corinth Road Reconstruction Project was being honored by the APWA as the 2011 Project of the Year in the Transportation - Highway Category and the Milton Street Bridge Replacement Project as the 2011 Project of the Year in the Structures (<\$10 million) Category. He noted that the APWA Annual Awards Luncheon was scheduled to be held on March 2nd and said that a few DPW staff members would be attending.

Concluding the agenda review, Mr. Tennyson advised there were no Referral Items to address.

There being no further DPW business to discuss, on motion made by Mr. Dickinson and seconded by Mr. Monroe, Mr. Bentley adjourned the meeting at 10:50 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist