

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: FEBRUARY 26, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MERLINO
CONOVER
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
REPRESENTING THE SARATOGA NORTH CREEK RAILWAY (SNCR):
STEVE TORRICO, GENERAL MANAGER
JUSTIN GONYO, GENERAL SUPERINTENDENT
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOANN MCKINSTRY, ASSISTANT TO THE COUNTY ADMINISTRATOR
FRANK THOMAS, BUDGET OFFICER

COMMITTEE MEMBERS ABSENT:

SUPERVISORS BENTLEY
MONTESI

SUPERVISORS KENNY
LOEB
STRAINER
VANSELOW
JULIE PACYNA, PURCHASING AGENT
MIKE SWAN, WARREN COUNTY TREASURER
DR. FREDD SENSER-LEE, BOTANICAL BLOSSOMINGS ON THE BIKEWAY - USA
JOANNE SMITH, RESIDENT, TOWN OF NORTH CREEK
JOHN STROUGH, COUNCILMAN, TOWN OF QUEENSBURY
JON ALEXANDER, *THE POST STAR*
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

In the absence of Committee Chairman Bentley, Vice Chairman Merlino called the meeting of the Public Works Committee to order at 9:40 a.m.

Motion was made by Mrs. Wood, seconded by Mr. Taylor and carried unanimously to approve the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Paul Butler, Director of the Parks, Recreation & Railroad Division, who distributed copies of his meeting agenda; a copy of same is on file with the minutes.

Mr. Butler advised the first agenda item consisted of an update from the Saratoga North Creek Railway (SNCR), which he introduced Steve Torrico, SNCR General Manager, and Justin Gonyo, SNCR General Superintendent, to provide. Mr. Gonyo distributed copies of an overview map of the at-grade crossing proposed for construction across the rail line to allow students and staff of the Kings School to access their athletic fields which were located on the opposite side of the tracks from the School. He noted that the crossing would include crushed stone walkways enclosed by chain link fencing on either side of the tracks, with a concrete surface being used for the actual rail crossing. Mr. Gonyo advised that the chain link fencing proposed for installation along the walkway and rails would essentially corral pedestrians to the specified crossing site. He informed that although the Kings School would be responsible for all costs associated with the crossing construction, approval from the Board of Supervisors would be necessary as the owner of that section of the railroad.

Mr. Merlino reminded the Committee members that representatives of the Kings School had attended prior Committee meetings to request permissions to cross the railroad in order to reach their athletic fields. Jeffery Tennyson, Superintendent of Public Works, interjected that due to liability and safety issues, the Committee had refrained from providing the requested permissions until a safer means for pedestrian crossings could be established. He added that currently, Kings School staff were required to transport students by bus to the fields, which took much longer than it would to access them on foot

by crossing the railroad. Since their crossing access request was denied, Mr. Tennyson advised representatives of the Kings School had been working with SNCR to develop a safer crossing scenario, resulting in the document developed by SNCR. When asked what the estimated cost for the at-grade crossing, Mr. Gonyo estimated it to be in the neighborhood of \$110,000. Mr. Tennyson indicated that the schematic plan and the estimated construction costs needed to be presented to the Kings School to determine whether the associated costs could feasibly be supported and he opined that the estimate provided might be a bit expensive for a private school to sustain. He concluded that he would forward the information to the Kings School and report on his findings at the next Committee meeting.

Mr. Taylor stated that he had no objection to the crossing plans, but questioned what safety measures would be incorporated, specifically questioning whether the train would be required to slow down in this area or if the crossing would include some sort of lighted warning signs to signal an oncoming train. Mr. Gonyo responded in the negative on both accounts, noting it would incorporate the same signage as any other private crossing, requiring pedestrians to stop, look and listen for oncoming train traffic; in response to a question posed by Mr. Dickinson, Mr. Gonyo replied that the section of tracks where the crossing was proposed offered good sight distance in either direction. Mr. Dickinson then asked whether it would be significantly more costly to incorporate lighted crossing fixtures to indicate oncoming train traffic and Mr. Gonyo replied affirmatively, advising the cost would likely increase to the \$250,000 range, due to the track wiring equipment required. Mr. Merlino pointed out that at one time, the Kings School was considering the construction of a walkover crossing that would have students traveling high above the tracks to cross, alleviating these safety issues, and he questioned whether any discussion had been held on this possibility and Mr. Torrico advised the at-grade crossing had been planned because the cost of the over the tracks crossing was substantially more.

Discussion ensued with respect to the matter, following which Mr. Merlino indicated that because there seemed to be too many unanswered questions on the issue, he recommended that the item be pended until a future Committee meeting when a representative of the Kings School could be present to advise of the School's intentions and take responsibility for the project. Mr. Tennyson indicated that he would make the necessary contacts to request attendance by Kings School representatives at the next Committee meeting.

Moving on to his next topic for discussion, Mr. Gonyo apprised of the need for replacement of the decking on the Sacandaga Bridge that allowed the railroad to span the Sacandaga River in Hadley, NY. He said he had discussed the necessary work with Mr. Tennyson, which they estimated would cost about \$1.7 million and he said it was his understanding that the County intended to seek grant funding to support this expense. Mr. Tennyson confirmed that he had begun discussions with NYSDOT (*New York State Department of Transportation*) representatives regarding the grant funding sought for the bridge work, which would become necessary within the next five years. In response to an inquiry made by Mr. Conover, Mr. Gonyo advised the bridge decking was comprised of large railroad ties soldiered across the 550' bridge span, at a cost of approximately \$960 per tie; he added that the bridge frame did not require repairs. Mr. Tennyson noted that in projects such as these, it was ineffective to perform interim repairs to replace individual ties and that was why a complete deck replacement was being recommended. Mr. Conover questioned the approximate life span of the bridge decking and Mr. Gonyo advised they typically lasted 30 to 40 years, based on use and elements. Mr. Tennyson concluded that the intent of the update was just to advise the Committee of the upcoming need for bridge repairs, as well as to apprise that they were seeking grant monies to fund the work.

With respect to the Snow Train, Mr. Torrico said the service was going very well and he reported that in January/February of 2013 they had transported 1,224 passengers, as opposed to 810 for the same time frame in 2012; he added that SNCR was very pleased with these figures. He noted that they continued to work on the upcoming Teddy Roosevelt themed event planned for May of 2013 and he said he anticipated advertising and promotion efforts would begin in March. Mr. Conover questioned how many of the Snow Train riders were repeat customers and Mr. Torrico replied that he would

estimate that to be about 50%. Mr. Merlino opined that the ridership figures would have been higher if there had been more snowfall.

Mr. Loeb noted a recent article in *The Post Star* regarding the possible elimination of the Ethan Allen train runs to the Saratoga Springs Station and he questioned whether this would have any impact on SNCR operations, to which Mr. Torrico replied affirmatively, noting that ending this service would offer passengers less travel options. Mr. Loeb apprised that Senator Betty O'C. Little was working to try and prevent this cessation of service from happening and he suggested that Warren County support her efforts. Mr. Tennyson asked Mr. Torrico if it was possible for him to quantify the anticipated effects to SNCR in writing in order to relay them to Senator Little, and Mr. Torrico responded affirmatively.

Resuming the agenda review, Mr. Butler presented three separate requests to amend the 2013 County Budget, as follows:

1. In the amount of \$1,500 to reflect the receipt of Warren County occupancy tax funds;
2. In the amount of \$2,500 to reflect the receipt of grant funds from the Glenn and Carol Pearsall Adirondack Foundation; and
3. In the amount of \$640 to reflect the receipt of grant funds from Walmart.

Motion was made by Mrs. Wood, seconded by Mr. Conover and carried unanimously to approve all three requests to amend the County Budget and forward same to the Finance Committee. *Copies of the Request to Amend County Budget forms are on file with the minutes.*

Mr. Butler apprised the next two agenda items referred to separate requests for donation of fish from the Fish Hatchery. The first request, he said, was from the Adirondack Museum in Blue Mountain Lake, NY, seeking 20 yearling rainbow trout and 20 yearling brook trout which they would use for educational purposes. Mr. Butler advised that the second request was for 200 yearling rainbow trout which would be used for a Make-a-Wish Foundation event held by Robert and Lou McArthur. He noted that in both instances, the individual organization would pick the fish up from the Fish Hatchery and transport them to the stocking sites and would also secure the necessary NYSDEC (*New York State Department of Environmental Conservation*) stocking permits.

Mr. Merlino questioned whether these donations had been made in the past, and Mr. Butler replied affirmatively, noting that although he did not believe there was any official resolution or authority approving the donation, the previous Director of the Parks, Recreation & Railroad Division had set a precedent by authorizing the donation for many prior years. Mr. Tennyson interjected that if the Committee was in favor of the initiative, they might consider approving a resolution authorizing an annual donation of the fish, provided that they were available.

Martin Auffredou, County Attorney, questioned whether the fish being donated were considered to be a surplus over and above the number of fish identified in the County's stocking permits and Mr. Butler replied that the Fish Hatchery typically maintained about 1,000 extra fish in order to assure the stocking permits could be filled in the event of a fish loss caused by flooding or some other occurrence. He noted that once the County's stocking permits were fulfilled, they worked with NYSDEC to determine where the leftover fish should be stocked.

A brief discussion ensued, following which a motion was made by Mr. Dickinson, seconded by Mrs. Wood and carried unanimously to approve both requests and authorize the annual donation of 20 yearling rainbow trout and 20 yearling brook trout to the Adirondack Museum and 200 yearling trout to the Make-a-Wish Foundation event hosted by Robert and Lou McArthur, and the necessary resolutions were authorized for the March 15th Board meeting. *Copies of the resolution request forms are on file with the minutes.*

With respect to the stocking permits, Mr. Butler advised he would be reviewing the five-year permits

with NYSDEC for approval and he said he anticipated the stocking numbers allotted by the permits would remain the same. He explained the stocking figures were determined based on research performed by the NYSDEC to determine how many fish could reasonably be sustained in a certain body of water.

Mr. Butler proceeded to review the Items of Interest section of the agenda, as follows:

- * Hudson River Ice Flow - Mr. Butler circulated photos dated February 1, 2013, depicting flooding at the Fish Hatchery Pond 11 site caused by an ice jam in the neighboring Hudson River. He advised the flooding had not caused any structural damage and only 23 of the approximately 1,350 fish in Pond 11 had been lost; *copies of the photos are on file with the minutes.*
- * Up Yonda Farm - Mr. Butler noted that the agenda included a copy of the flyer announcing the annual Maple Festival & Pancake Breakfast that would be held on March 3rd at the Up Yonda facility and he invited all to attend.
- * Warren County Fairgrounds - Mr. Butler advised that, for the Committee's reference, he had also included a copy of the 2013 schedule of events for the Warren County Fairgrounds in the agenda packet.

Concluding the agenda review, Mr. Butler announced there were no referral/pending items to discuss.

Privilege of the floor was extended to Mr. Tennyson who distributed copies of the DPW agenda; *a copy of same is on file with the minutes.*

Mr. Tennyson advised the first two agenda items pertained to the Overtime and Fuel Reports, copies of which were included in the agenda packet for the Committee's review.

Continuing, Mr. Tennyson directed the Committee members to agenda page 5, which included a request for a new contract with WSP Sells for periodic structural engineering services. He noted that he was also requesting permission to extend these contracts to municipal entities within Warren County.

Motion was made by Mrs. Wood, seconded by Mr. Mason and carried unanimously to approve the request for a new contract with WSP Sells, as noted above, and the necessary resolution was authorized for the March 15th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that agenda page 9 reflected a request for a new contract with Laberge Group for periodic surveying services with the contract to commence upon execution and terminate on December 31, 2013, with the option to extend the contract for an additional year.

Motion was made by Mrs. Wood, seconded by Mr. Mason and carried unanimously to approve the request for a new contract, as outlined above, and the necessary resolution was authorized for the March 15th Board meeting. *A copy of the request is on file with the minutes.*

Continuing to agenda page 12, Mr. Tennyson presented a request for a new contract for storm water sampling, testing and reporting in association with the Beach Road Project. He noted that due to the experimental nature of the porous paving technology being used for a section of Beach Road, the NYSEFC (*New York State Environmental Facilities Corporation*) had offered approximately \$200,000 in grant funding to cover the sampling, testing and reporting work, with a 10% Local Share. Mr. Tennyson advised that the contractor would be determined subsequent to the March 28th bid opening.

Motion was made by Mr. Dickinson, seconded by Mrs. Frasier and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the March 15th Board meeting.

A copy of the request is on file with the minutes.

A brief discussion ensued with respect to the porous pavement application.

Mr. Tennyson advised agenda page 13 included a letter from Robert Blais, Mayor of the Village of Lake George, seeking to expand the current intermunicipal agreement between Warren County and the Village of Lake George for collection of parking revenues at the West Brook Parking Lot to include provisions allowing the Village of Lake George to retain 10% of any parking fines collected. He noted that the original agreement required the County to follow through on the fine collections independently from the Village, and it was his understanding it was difficult to determine which party should be collecting what fines. Mr. Tennyson explained that the Village already had a procedure in place and maintained a contract with a firm that tracked the tickets issued and followed-up on fines owed and Mayor Blais had proposed modification of the current intermunicipal agreement to allow the Village to assume this responsibility on the County's behalf, for which they would retain 10% of the fines collected. Mr. Tennyson noted that one challenge with this change might be in ensuring that they were able to distinguish the West Brook Parking Lot tickets apart from tickets issued for other areas of the Village as they were all likely to be addressed in the same court, with the same company assuming the collection efforts. Mr. Auffredou advised that they could include verbiage in the revised agreement to require a mechanism to segregate the tickets written at the West Brook Parking Lot from those written for other areas.

Following further conversation on the matter, motion was made by Mr. Mason, seconded by Mr. Conover and carried unanimously to approve the request to amend the intermunicipal agreement with the Village of Lake George as outlined above and the necessary resolution was authorized for the March 15th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised there were no transfer requests to present. He noted that the Items of Interest section included only one item, Beach Road Reconstruction Project, which he asked Kevin Hajos, Deputy Superintendent of Public Works, to address. Mr. Hajos announced that they would be closing the portion of Beach Road extending between Canada Street and West Brook Road beginning on March 19th and he said he assumed it would remain closed for about a month and a half in order to establish the sub-base for the porous pavement application. He noted that the contractor undertaking the project was given a deadline requiring the road to re-open prior to the Memorial Day holiday weekend. Mr. Hajos said they had been performing minor work and retaining wall construction through the winter months and would be ready to start the larger portion of the project on March 19th. Mr. Tennyson said their biggest concern would be for business owners along the section of road to be closed, but he noted that most were summer businesses that should not be affected by the road closure. He advised that they would prepare press releases and publications advising of the road closing and he said they hoped the major work would be finished before the start of the summer season, allowing them to move on to less intrusive work.

Concluding the agenda review, Mr. Tennyson requested an executive session to discuss disciplinary action involving County employees.

Motion was made by Mr. Dickinson, seconded by Mr. Conover and carried unanimously to enter into executive session, pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 10:31 a.m. to 10:39 a.m.

Upon reconvening, Mr. Merlino announced that no action had been taken during the executive session.

There being no further business to come before the Public Works Committee, on motion made by Mr. Conover and seconded by Mr. Dickinson, Mr. Merlino adjourned the meeting at 10:40 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board