

WARREN COUNTY BOARD OF SUPERVISORS

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

DATE: OCTOBER 24, 2013

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY  
MERLINO  
CONOVER  
TAYLOR  
FRASIER  
DICKINSON  
MASON  
MONTESI

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF PUBLIC WORKS  
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISOR STRAINER  
JULIE PACYNA, PURCHASING AGENT  
DON LEHMAN, *THE POST STAR*

COMMITTEE MEMBER ABSENT:

SUPERVISOR WOOD

THOM RANDALL, *ADIRONDACK JOURNAL*  
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

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Mr. Bentley called the meeting of the Public Works Committee to order at 9:38 a.m.

Motion was made by Mr. Dickinson, seconded by Mr. Mason and carried unanimously to approve the minutes of the last Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Jeffery Tennyson, Superintendent of Public Works, who distributed copies of both the Parks, Recreation & Railroad and DPW agendas to the Committee members; *copies of both agendas are on file with the meeting minutes.*

Commencing the review of the Parks, Recreation & Railroad agenda, Mr. Tennyson advised the first item listed called for an update on railroad operations by representatives of the Saratoga North Creek Railway (SNCR); however, he stated, since the SNCR representatives were not in attendance, he suggested they continue the agenda review and return to this item if they arrived.

Mr. Tennyson directed the Committee members to agenda page 1 which included a request for a new contract with the Towns of Hague, Horicon, Lake Luzerne and Thurman in the amount of \$90,000 (*\$27,000 each for the Towns of Horicon, Lake Luzerne and Thurman, and \$9,000 for the Town of Hague*) for snowmobile trail maintenance and equipment for the term commencing January 1, 2014 and terminating December 31, 2014. He advised that the amount consisted of pass-through funds included in the County Budget for distribution to the aforementioned Towns.

Motion was made by Mr. Montesi and seconded by Mrs. Frasier to approve the request.

In response to a question posed by Mr. Dickinson, Mr. Tennyson advised part of the funding provided to the Snowmobile Clubs was included in the County Budget, while the remainder consisted of grant funds received from the State of New York with the amount being dependent upon the number of snowmobile registrations sold. Mr. Merlino pointed out that the Clubs also received a portion of the gas tax collected and he apprised that many stores kept a list that snowmobilers would sign to assert and track the number of gallons purchased on each visit for snowmobile use.

There being no further discussion on the issue, Mr. Bentley called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the November 15<sup>th</sup> Board Meeting. *A copy of the resolution request form is on file with the meeting minutes.*

Moving on to the next agenda item, Mr. Tennyson presented a request to amend the County Budget in the amount of \$2,730 to increase revenues and appropriations in order to pay for GIS services received in connection with updates to the maps used for the Railroad's vegetative management plan. He explained that earlier in the year, they had amended the vegetative spray permitting to include new

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mapping, as required by the APA (*Adirondack Park Agency*); he further explained that in the past, the Planning & Community Development Department had provided these services through their internal GIS (*Geographic Information System*) staff at no charge, but since the Department was reorganized and paid GIS services were incorporated, they were now required to pay for them. Mr. Tennyson advised he intended to use funds from the Railroad reserve to amend the County Budget in order to pay for the GIS mapping services.

Motion was made by Mr. Taylor, seconded by Mr. Dickinson and carried unanimously to approve the request and refer same to the Finance Committee. *A copy of the resolution request form is on file with the meeting minutes.*

Concluding the agenda review, Mr. Tennyson advised he had nothing to report on either of the referral items listed.

With respect to the first referral item, concerning the construction of a pedestrian railroad crossing by The King's School, Mr. Montesi questioned whether the delay in the project was caused by a lack of funding and Mr. Tennyson responded that he presumed so. Mr. Tennyson expounded that The King's School fully intended to proceed with the railroad crossing construction and would return to the Committee with their finalized construction plans in order to gain the County's consent before proceeding to construction. He asserted that The King's School had been contacted for an update on the construction plans, but none had been available.

Regarding the second referral item, relating to the possible conveyance of County-owned property located in the Town of North Creek to North Creek Woodworking, Mr. Montesi questioned whether a business was still operating out of the North Creek Woodworking building, and Mr. Tennyson replied in the negative. Mr. Tennyson advised a portion of the North Creek Woodworking building, as well as their septic facilities, had been erroneously placed on County-owned property; he added that in order to obtain clear title for the building so that it could be sold, the purchase of County-owned property would be necessary. He reminded the Committee that after the request for property acquisition was presented, they had authorized the Real Property Tax Services Office to perform an appraisal of the desired property, which had been completed and forwarded to the owners of the North Creek Woodworking building; however, he said, a response had not yet been received. Mr. Montesi asked if the sale of the County-owned property would have any affect on the railroad as it was located nearby, and Mr. Tennyson responded it was his understanding that the owner's of the North Creek Woodworking building intended to sell the property to SNCR.

There being no further Parks, Recreation and Railroad business to discuss, Mr. Tennyson began the review of the DPW agenda with the Overtime Report which was included on page 1, noting there was nothing unusual to report.

Mr. Tennyson advised the next two agenda items, included on pages 2 and 9, pertained to the Woolen Mill Bridge over Schroon River Project. He advised that the request included on page 2 sought to amend the existing grant agreement with NYSDOT (*New York State Department of Transportation*) in the amount of \$4,483 to reflect the receipt of State Marchiselli funds, while the request on page 9 would decrease Capital Project No. H214.9550 280, *Woolen Mill Bridge*, by \$1,442,598 and authorize the Treasurer to transfer the remaining \$232,630.10 in Local Share Matching funds to Budget Code D.9950 910, *County Road, Transfers-Capital Project, Interfund Transfers*. Mr. Tennyson stated that although this project had been completed about two years ago, the Capital Project had been kept open due to a contractor dispute. He reported that Kevin Hajos, Deputy Superintendent of Public Works, and his staff, along with NYSDOT representatives, had resolved the dispute in the County's favor and they were now ready to begin the process of closing the Project. Mr. Tennyson noted the Capital Project included approximately \$232,630 in remaining Local Share funding which would be transferred to other projects.

Mr. Montesi questioned whether the County had experienced any previous problems with the contractor that had raised the dispute and Mr. Tennyson replied in the negative, but noted that contractor disputes were a common occurrence. He explained that when they occurred, Mr. Hajos and his staff performed a thorough review of the dispute to determine whether additional payment was justified, and in some cases it was when weather or other factors caused issues which were outside of the contractors control. Mr. Tennyson advised that while the Capital Project would continue to remain open, he anticipated final NYSDOT documentation to be received within the following month or so, at which point he would present a request to formally close the Project.

Motion was made by Mr. Dickinson, seconded by Mrs. Frasier and carried unanimously to approve the request to extend the existing grant agreement with NYSDOT for the Woolen Mill Bridge project in the amount of \$4,483 and the necessary resolution was authorized for the November 15<sup>th</sup> Board Meeting. *A copy of the request is on file with the meeting minutes.*

Motion was made by Mr. Dickinson, seconded by Mrs. Frasier and carried unanimously to approve the request to decrease Capital Project No. H214.9550 280, Woolen Mill Bridge, in the amount of \$1,442,598 and refer same to the Finance Committee. *A copy of the request is on file with the meeting minutes.*

Mr. Tennyson advised the next two agenda items pertained to the Alder Brook Road Bridge project. Agenda page 10, he said, consisted of a request to amend the existing NYSDOT grant to include Supplemental Agreement No. 2 in the amount of \$108,655 to reflect the receipt of State Marchiselli funding. Mr. Tennyson said agenda page 16 reflected a request to decrease Capital Project No. H260.9550 280, *Alder Brook Road Bridge*, by \$44,600. He explained the County had increased the Local Share for this Project to cover the State Marchiselli portion while waiting for the State for forward the funds; since they were now available, he said, the State Marchiselli Share would be increased by \$108,655 and the Local Share decreased by \$153,255, leading to a net decrease of \$44,600. Mr. Tennyson advised the Local Share funds being withdrawn from the Capital Project would be used to pay down the BAN (*Bond Anticipation Note*) secured to provide the Local Share funds.

Motion was made by Mr. Montesi, seconded by Mr. Taylor and carried unanimously to approve the request to amend the existing NYSDOT grant for the Alder Brook Road Bridge Project, as outlined above, and the necessary resolution was authorized for the November 15<sup>th</sup> Board meeting. *A copy of the request is on file with the meeting minutes.*

Motion was made by Mr. Montesi, seconded by Mr. Taylor and carried unanimously to approve the request to decrease Capital Project No. H260.9550 280 in the amount of \$44,600 and refer same to the Finance Committee. *A copy of the request is on file with the meeting minutes.*

Mr. Tennyson announced the next three agenda items requested to increase various capital projects using Local Share funds remaining in Capital Project No. H214.9550 280, *Woolen Mill Bridge*, as follows:

- Page 17 - Request to increase Capital Project No. H322.9550 280, *Palisades Road over Brant Lake Inlet Bridge (CR26)*, in the amount of \$20,000;
- Page 18 - Request to increase Capital Project No. H333.9550 280, *Valley Road (CR36) over Patterson Creek Bridge Replacement*, in the amount of \$85,700; and
- Page 19 - Request to increase Capital Project No. H342.9550 280, *Blair Road over Mill Brook*, in the amount of \$126,931.10

Regarding Capital Project No. H322.9550 280, *Palisades Road over Brant Lake Inlet Bridge (CR26)*, Mr. Tennyson advised this had started as a bridge rehabilitation project during which approach abutment issues had been identified, resulting in the need to procure additional ROW (*right-of-way*) to complete the work. Mr. Montesi questioned whether an additional \$20,000 would be sufficient to complete the work and Mr. Hajos replied that it would.

Motion was made by Mr. Mason, seconded by Mrs. Frasier and carried unanimously to approve the

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request to increase Capital Project No. H322.9550 280, as outlined above, and refer same to the Finance Committee. *A copy of the request is on file with the meeting minutes.*

Mr. Tennyson advised the \$85,700 increase to Capital Project No. H333.9550 280, *Valley Road (CR36) over Patterson Creek Bridge Replacement*, would be used to cover the anticipated Local Share match for ROW, construction and construction inspection services.

In response to a question posed by Mr. Montesi, Mr. Tennyson advised that they typically tried to roll any remaining funds from closed capital projects into the "Transfers-Capital Projects" Budget Code so that those funds could be attributed to the Local Share for other capital projects. Mr. Montesi questioned how much funding was currently available in the Transfer-Capital Projects Budget Code, and Mr. Tennyson replied that he was unsure; he reiterated that all of the increases requested in the current agenda would be funded using the Local Share remaining in Capital Project No. H214.9550 280, *Woolen Mill Bridge*.

Motion was made by Mr. Taylor, seconded by Mr. Montesi and carried unanimously to approve the request to increase Capital Project No. H333.9550 280, as outlined above, and refer same to the Finance Committee. *A copy of the request is on file with the meeting minutes.*

With regard to the request to increase Capital Project No. H342.9550 280, *Blair Road over Mill Brook*, in the amount of \$126,931.10, Mr. Tennyson advised the Local Match for the Blair Road project was necessary to continue the project which was currently in the design phase and would proceed to construction in 2014.

Motion was made by Mr. Taylor, seconded by Mr. Montesi and carried unanimously to approve the request to increase Capital Project No. H342.9550 280, as outlined above, and refer same to the Finance Committee. *A copy of the request is on file with the meeting minutes.*

Mr. Tennyson directed the Committee Members to agenda page 20, which included a request to amend the County Budget to increase estimated revenues and appropriations in the amount of \$232,630.10 in order to appropriate the Local Match funds for several capital projects. He clarified that this action would allow the use of the remaining Local Match funds in Capital Project No. H214.9550 280, *Woolen Mill Bridge*, for the three previously mentioned capital project increases.

Motion was made by Mr. Dickinson, seconded by Mr. Mason and carried unanimously to approve the request to amend the County Budget and refer same to the Finance Committee. *A copy of the request is on file with the meeting minutes.*

Moving on to agenda page 21, Mr. Tennyson outlined a request to authorize the purchase of an asphalt zipper (*Model AZ-480HD*) from the Town of Lake Luzerne for the sum of \$35,000. He advised this was a relatively new piece of equipment that had been used for a total of 65 hours, during some of which the County had been using the machinery. Mr. Tennyson explained that the Town of Lake Luzerne did not have a need for the equipment and the County was able to use it for small milling projects which did not warrant the use of outside contract services which required more extensive mobilization efforts. He asserted that his staff had researched the value of this equipment and determined it to be worth approximately \$44,000; however, he added, as the County traditionally offered the towns a discount when selling County-owned equipment, the Town of Lake Luzerne had offered to sell the asphalt zipper at the discounted amount of \$35,000. Mr. Tennyson confirmed that the funds for this purchase were available within the existing DPW Budget.

Motion was made by Mr. Dickinson, seconded by Mr. Mason and carried unanimously to authorize the purchase, as outlined above, and the necessary resolution was authorized for the November 15<sup>th</sup> Board Meeting. *A copy of the request is on file with the meeting minutes.*

Mr. Tennyson advised the next two agenda items consisted of requests for transfers of funds within the DPW Budget. The first, he said, requested transfers of funds totaling \$6,300 between various budget codes to cover overtime and part-time salaries in the Services to Other Government budget codes. Mr. Tennyson explained that funding for overtime and part-time salaries had not been included under the Services to Other Government codes, but these expenses were incurred when providing paving work to the towns, causing negative balances.

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

Mr. Tennyson said the second request for a transfer of funds was in the amount of \$12,399 and would transfer monies from the Contingent Account to Budget Code D.3310 220.5, *County Road, Traffic Control, Office Equipment*, to allow the purchase of a new plotter and software for the Sign Shop. Mr. Tennyson advised a new computer had been purchased for the Sign Shop which had rendered the old plotter and its software obsolete. He advised the new plotter and software would bring the Sign Shop equipment up to date and in keeping with the new computer system. Mr. Dickinson questioned the type of software being used and Mr. Tennyson responded that he was unsure exactly what was being used, but explained that the program provided for maximum use of the materials used to make signs through strategic arrangements.

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

Continuing to the next agenda item, Mr. Hajos outlined the Items of Interest section, as follows:

- \* Hicks Road Reconstruction Update - Mr. Hajos advised there was not a lot of information to provide relative to the Hicks Road Reconstruction Project. He said the contractor was currently working on drainage facilities and would place a temporary pavement surface on the road before wrapping up work for the year in December, with construction work to resume in the spring of 2014.
- \* Crane Mt. Road Bridge Reconstruction - A photo of ongoing work on the Crane Mt. Road Bridge was circulated amongst the Committee members, *a copy of which is on file with the meeting minutes.* Mr. Hajos noted that the bridge beams were all set during the prior week and he expected the construction and paving to finish the bridge work, as well as the removal of the County's temporary bridge, would be completed within the following two week period.
- \* Hudson Street Paving - A photo of the completed paving work on Hudson Street was circulated amongst the Committee members, *a copy of which is on file with the meeting minutes.* Mr. Hajos reminded the Committee members that during their last meeting, photos of other sections of Hudson Street on which paving had been completed were shown and the current picture depicted the rest of the paving work.
- \* Glen Athol Road Reconstruction - Photos of ongoing work on the Glen Athol Road reconstruction project were circulated amongst the Committee members, copies of which are on file with the meeting minutes. Mr. Hajos pointed out that this was a full depth reconstruction project which would require an 18" reclamation process, which he anticipated would be completed within the following two weeks. Mr. Tennyson interjected that they had tried to begin this project earlier in the construction season but had been unable to do so due to a scheduling conflict with the project contractor.

A brief discussion ensued.

Concluding the agenda review, Mr. Tennyson announced there were no referral items to address, but noted there were two issues classified as "Pending Items" which he had skipped over. The first, he said, pertained to the construction of a sidewalk along State Route 149 from the intersection with State

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Route 9 to the Warren County Bikeway bridge using Make the Connection grant funding. Mr. Tennyson noted that the project had been delayed pending NYSDOT approvals, which they had recently received. Mr. Tennyson expounded that additional funding would need to be added to this project in order to address ROW and easement needs, as well as to work around existing utilities, and he said he anticipated these funds could be identified within the existing Parks, Recreation & Railroad Division Budget. He advised further research was necessary to determine how much additional funding would be needed for the project which they expected would proceed to construction early in 2014 so that it would be available during the upcoming summer season.

Mr. Tennyson advised the second Pending Item referred to the EFC (*New York State Environmental Facilities Corporation*) grant for the Beach Road Reconstruction Project. He reported that the EFC grant funds were awarded to augment the experimental feature of the porous pavement application used for the Beach Road Project and they had initially intended to use them for long-term environmental monitoring; however, he added, due to the EFC's persistent requests for the grant to be closed, it appeared such use would not be possible. Mr. Tennyson advised they were in discussions with the EFC about possibly transferring the remaining grant funds to an adjacent project and he commented that, so far, EFC representatives seemed agreeable to this request and he hoped they would ultimately allow the funds to be applied to another project. He concluded that at a future Committee meeting, he would present a request to amend the EFC grant agreement accordingly.

A discussion ensued.

There being no further business to come before the Public Works Committee, on motion made by Mr. Dickinson and seconded by Mrs. Frasier, Mr. Bentley adjourned the meeting at 10:16 a.m.

Respectfully submitted,  
Amanda Allen, Deputy Clerk of the Board