

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: DECEMBER 1, 2015

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS MERLINO  
CONOVER  
TAYLOR  
SIMPSON  
SOKOL

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF PUBLIC WORKS  
PAUL BUTLER, DIRECTOR - PARKS, RECREATION & RAILROAD DIVISION  
REPRESENTING SARATOGA & NORTH CREEK RAILWAY:  
ED ELLIS, PRESIDENT AND CHIEF EXECUTIVE OFFICER  
JUSTIN GONYO, GENERAL SUPERINTENDENT

COMMITTEE MEMBERS ABSENT:

SUPERVISORS WOOD  
FRASIER  
VANSELOW  
DICKINSON

KEVIN GERAGHTY, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
MARTIN AUFFREDOU, COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS BROCK  
SEEBER  
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT  
DON LEHMAN, *THE POST STAR*  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the December 1, 2015 meeting of the Public Works Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: [http://www.warrencountyny.gov/gov/comm/public\\_works/](http://www.warrencountyny.gov/gov/comm/public_works/)*

Mr. Merlino called the meeting of the Public Works Committee to order at 11:21 a.m.

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

Copies of the Parks, Recreation & Railroad and DPW Agendas were distributed to the Committee members, copies of same are on file with the meeting minutes.

Commencing the review of the Parks, Recreation & Railroad Agenda, privilege of the floor was extended to Justin Gonyo, *Saratoga & North Creek Railway (SNCR) General Superintendent*, to provide an update on SNCR operations. Mr. Gonyo indicated SNCR was two weeks into the Polar Express event and had already sold 19,000 tickets with 21 operating days left for the event this season. With respect to freight operations, he apprised SNCR was moving 1,000 tons of stone from Tahawus this week which would represent the last load of stone transferred from Tahawus for 2015. Mr. Gonyo indicated that moving into the first quarter of 2016, SNCR planned to refrain from offering any passenger train service in January or February. Mr. Merlino questioned whether SNCR planned to use the tracks during the winter months and Mr. Gonyo replied they would be used occasionally, and such planned use was sufficient to ban snowmobile use. Mr. Conover asked if SNCR intended to offer a Snow Train in 2016 and Mr. Gonyo replied they did not, at least not for the months of January and February.

Travis Whitehead, *Town of Queensbury Resident*, inquired as to whether there was an official request to extend the contract with SNCR for railroad operations and Mr. Merlino replied there was a small Committee working on the railroad contract terms, but there was nothing official to discuss as of yet.

Mr. Gonyo and Ed Ellis, *SNCR President and CEO*, left the meeting at 11:24 a.m.

Resuming the Parks, Recreation & Railroad Agenda review, Paul Butler, *Director of the Parks, Recreation & Railroad Division*, presented the following requests:

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Page 1 - To authorize agreements with the Towns of Hague, Horicon, Thurman and Lake Luzerne for 2015-16 snowmobile trail maintenance and equipment support for the term commencing January 1, 2016 and terminating December 31, 2016 (*Town of Horicon - \$27,000; Town of Thurman \$27,000; Town of Lake Luzerne - \$27,000; Town of Hague - \$9,000*)

Motion was made by Mr. Simpson, seconded by Mr. Conover and carried unanimously to approve the request and authorize the necessary resolution for the December 18<sup>th</sup> Board Meeting. *A copy of the request is on file with the meeting minutes.*

Mr. Sokol left the meeting at 11:26 a.m., at which point Mr. Merlino noted that Chairman Geraghty would constitute the quorum for the Committee.

Page 2 - To authorize an inter-municipal agreement with the Town of Bolton to accept funding in the amount of \$20,000 in support of Up Yonda Environmental Education Center for budget year 2016.

Motion was made by Mr. Simpson, seconded by Mr. Conover and carried unanimously to approve the request and authorize the necessary resolution for the December 18<sup>th</sup> Board Meeting. *A copy of the request is on file with the meeting minutes.*

Mr. Sokol returned to the meeting at 11:28 a.m.

Page 4 - To authorize acceptance of a park bench donated by A. William Brannigan and family in memory of Bruce Roberts who was a lifelong resident of Warren County, which will be placed on the Warren County Bikeway north of the Sweet Road intersection in the Town of Queensbury.

Motion was made by Mr. Conover, seconded by Mr. Taylor and carried unanimously to approve the request and authorize the necessary resolution for the December 18<sup>th</sup> Board Meeting. *A copy of the request is on file with the meeting minutes.*

Mr. Conover noted a letter of appreciation should be forwarded to Mr. Brannigan and family for the donation and Jeffery Tennyson, *Superintendent of Public Works*, confirmed this would be done.

Continuing to the Referral/Pending Items section of the agenda, Mr. Butler indicated he had no information to present relative to SNCR's storing of railway cars in Tahawus. Mr. Conover said he believed SNCR had withdrawn their proposal to store railway cars with trace amounts of oil residue in this manner. A lengthy discussion ensued relative to this matter during which comments were made that this issue had been raised at a recent workshop meeting, indicating there was still interest by SNCR to pursue the car storage. Also during this discussion, Martin Auffredou, *County Attorney*, apprised that the County's approval was not required for SNCR to transport railcars with trace amounts of oil across the County's rail line to reach their storage area as they were permitted to do so under Federal Law; additionally, it was suggested by Paul Dusek, *County Administrator*, that the Committee meet again in January, prior to the regular Board Meeting, to discuss railroad operator contract negotiations.

Concluding the review of the Parks, Recreation & Railroad Agenda, Mr. Butler pointed out a letter from the New York State Office of Parks, Recreation and Historic Preservation informing that a total of \$72,845 would be provided for snowmobile trail development and maintenance for 2015-16. He advised this was an informational item only which required no Committee action.

Privilege of the floor was extended to Mr. Tennyson to commence the review of the DPW Agenda; the

following requests were presented:

- Page 1 - To authorize a new contract with Atlantic Testing Laboratories to provide professional services associated with asbestos and lead identification, reports and abatement for the term commencing upon execution and terminating December 31, 2016 with provisions for two additional one-year extensions.
- Page 4 - To authorize a new contract with Care Environmental Corp. to provide household hazardous waste collection for the term commencing upon execution and terminating December 31, 2016 with provisions for two additional one-year extensions

Motion was made by Mr. Sokol, seconded by Mr. Simpson and carried unanimously to approve the requests, as outlined above, and authorize the necessary resolutions for the December 18<sup>th</sup> Board Meeting. *Copies of the requests are on file with the meeting minutes.*

- Page 9 - To authorize to submission of a grant application to the New York State Department of Environmental Conservation (*NYSDEC*) for funding in an amount to be determined to support the costs of household hazardous waste collection.

Mr. Tennyson indicated that this grant would likely require a 50% Local Share match which would be supported by a fee structure to be developed for collection of household hazardous waste. He advised initial plans would include two pickup sites, one in Queensbury and the other in Warrensburg, where Warren County residents could bring their household hazardous waste items for collection. A discussion ensued.

Motion was made by Mr. Simpson, seconded by Mr. Conover and carried unanimously to approve the request and authorize the necessary resolution for the December 18<sup>th</sup> Board Meeting. *A copy of the request is on file with the meeting minutes.*

- Page 13 - To authorize a transfer of funds in the amount of \$570.08 to cover equipment rentals.
- Page 14 - To authorize transfer of funds between various budget codes totaling \$98,075.73 to cover adjustments in the County Road Fund.
- Page 17 - To authorize transfer of funds between various budget codes totaling \$196,598.63 to cover internal rentals for County road projects.

Motion was made by Mr. Taylor, seconded by Mr. Conover and carried unanimously to approve the aforementioned requests for transfers of funds and refer same to the Finance Committee. *Copies of the requests are on file with the meeting minutes.*

- Page 18 - To increase Capital Project No. H351, *CR44 over Hudson River Bridge Painting Project*, in the amount of \$1,800.
- Page 19 - To increase Capital Project No. H352, *CR13 & CR 31 Bridge Painting Project*, in the amount of \$15,200.
- Page 20 - To establish Capital Project No. H364, *West Mountain Road (CR 58) Pavement Preservation*, in the amount of \$37,500. *Note: subsequent to the meeting it was determined that this would be Capital Project No. H366 as H364 had already been assigned to another project.*
- Page 21 - To establish Capital Project No. H365, *Bay Road (CR 7) Pavement Preservation*, in the amount of \$57,000.

Motion was made by Mr. Conover, seconded by Mr. Sokol and carried unanimously to approve all four of the above referenced requests and refer same to the Finance Committee. *Copies of the requests are on file with the meeting minutes.*

- Page 22 - To amend Resolution No. 418 of 2015, *Authorizing Advance of Funds from the General Fund Unappropriated Surplus to Purchase a Vacuum Excavator and Authorizing an Intermunicipal Agreement Between Warren County and the Warren County Soil & Water Conservation District for Reimbursement to Warren County for the Purchase of the Vacuum Excavator from Funds Received by the District under a Grant from the New York State Department of Environmental Conservation*, to identify the correct budget codes where funding should be placed to support the purchase of a vacuum excavator.
- Page 23 - To authorize an intermunicipal agreement with Warren County Soil & Water Conservation District in order to take possession of the vacuum excavator, and with the towns of Warren County for use of the excavator.

Motion was made by Mr. Conover, seconded by Mr. Taylor and carried unanimously to approve both of the aforementioned requests and the necessary resolutions were authorized for the December 18<sup>th</sup> Board Meeting. *Copies of the requests are on file with the meeting minutes.*

- Page 24 - To fill the vacant position of Sign Maintenance Worker #1, *Grade 9, Annual Base Salary of \$33,367*, due to retirement effective January 29, 2016, as well as to fill any vacancies created by promotion.
- Page 25 - To fill the vacant position of HEO #1, *Grade 8, Annual Base Salary of \$32,238*, due to a retirement effective January 9, 2016, as well as to fill any vacancies created by promotion.
- Page 26 - To fill the vacant position of Auto Mechanic, *Grade 9, Annual Base Salary of \$32,553*, due to resignation, as well as to fill any vacancies created by promotion.

Motion was made by Mr. Sokol, seconded by Mr. Conover and carried unanimously to approve the requests to fill the aforementioned positions and refer same to the Personnel Committee for reporting purposes. *Copies of the Notice of Intent to Fill Vacant Position forms are on file with the meeting minutes.*

Mr. Tennyson announced the next DPW Agenda item pertained to a request for an executive session to discuss the employment history of particular unnamed employees. Motion was made by Mr. Simpson, seconded by Mr. Taylor and carried unanimously to enter into an executive session, pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 12:14 p.m. until 12:40 p.m.

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

Motion was made by Mr. Taylor, seconded by Mr. Conover and carried unanimously to authorize payments in the amount of \$428.37 to Warren County Employee No. 11097 and \$3,718.40 to Warren County Employee No. 5804 to account for errors in the time keeping system which had failed to properly account for leave time earned by both employees, and to refer same to the Personnel Committee. *A copy of the request is on file with the meeting minutes.*

Mr. Tennyson noted that the funding for these adjustments was available within the existing DPW Budget under the Highway Maintenance salary codes.

Resuming the Agenda review with the Referral/Pending Items section, Mr. Tennyson apprised he expected to receive NYSDOT (*New York State Department of Transportation*) grant agreements for Capital Projects H364, *West Mountain Pavement Preservation*, (*subsequently determined to be H366*), and H365, *Bay Road Pavement Preservation*, in the near future. He said that if the necessary documentation was provided in a timely fashion he intended to seek resolutions for both through the out-of-Committee resolution request process.

Next, the Information for Discussion/Review portion of the Agenda was reviewed, as follows:

Page 27 - Fuel Farm Land Leases - Mr. Tennyson advised Agenda page 27 included a listing of DPW Fuel Farm land leases and terms for sites in the Towns of Johnsbury, Lake Luzerne, Horicon, Hague and Bolton. He noted that some of the lease terms varied from one another and he mentioned the County Attorney was in favor of standardizing the terms.

A discussion ensued, following which a motion was made by Mr. Conover, seconded by Mr. Simpson and carried unanimously to revise and standardize the DPW Fuel Farm land lease terms to indicate that each will include a five-year term at a rate of \$1,200 per year, with the local municipality to pay electrical costs, and the necessary resolution was authorized for the December 18<sup>th</sup> Board Meeting. *A copy of the request form is on file with the meeting minutes.*

- West Brook Parking Lot Construction Update - photos of the construction progress were circulated, *copies of which are on file with the meeting minutes.* Kevin Hajos, *Deputy Superintendent of Public Works*, apprised that the construction work was completed last week and there were a few small items which would be finished in the spring to prepare the Parking Lot for use.
- County Road/Bridge Projects - photos of the CR76 Lanfear Road, Back to Sodom Bridge, and Valley Road Bridge Projects were circulated, *copies of which are on file with the meeting minutes*, and Mr. Hajos provided an overview of each project.

Concluding the DPW Agenda review, Mr. Tennyson noted that copies of the DPW Fuel Usage and Overtime Reports were included in the Agenda packet for the Committee's review.

Mr. Conover recalled that at a prior Board Meeting an individual had approached the Board of Supervisors about the prospect of contracting their road paving work out to private companies. He noted that it might be a good idea to consider preparing and releasing a bid for these types of services for road and driveway paving work to offer the County and towns other options in the event that they found it necessary to utilize such services. A brief discussion ensued.

Mr. Tennyson noted one final piece of business to address pertained to the bids for electronic recycling services. He said he had recently spoken with Julie Butler, *Purchasing Agent*, who indicated the bids for this work would be in on Thursday, December 3<sup>rd</sup>; therefore, he continued, he would request that the Committee authorize a resolution allowing for the bid to be awarded to the lowest responsible bidder, to be determined subsequent to the bid opening, for presentation at the December 18<sup>th</sup> Board meeting. Following a brief conversation, Mr. Conover suggested that rather than approving the requested resolution without knowing who the lowest responsible bidder would be, the matter should be presented to the Finance Committee for approval once the successful bidder was known, and the Committee agreed with this suggestion.

There being no further business to come before the Public Works Committee, on motion made by Mr. Sokol and seconded by Mr. Simpson, Mr. Merlino adjourned the meeting at 1:03 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board  
*As transcribed by Amanda Allen, Clerk of the Board*