

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY FACILITIES

DATE: JUNE 26, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS HASKELL
THOMAS
CHAMPAGNE
VANNESS
GIRARD
GOODSPEED

OTHERS PRESENT:

WILLIAM LAMY, DPW SUPERINTENDENT
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS
PAUL DUSEK, COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISOR GERAGHTY
JULIE PACYNA, PURCHASING AGENT
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR O'CONNOR

Mr. Haskell called the meeting of the County Facilities Committee to order at 1:00 p.m.

Motion was made by Mr. VanNess, seconded by Mr. Thomas and carried unanimously to approve the minutes from the April 29, 2008 Committee meeting, subject to correction by the Clerk of the Board.

As Paul Dusek, County Attorney, was in attendance, Mr. Haskell announced that the agenda review would begin with Item 2B, which referred to standardization of the energy management systems, fire alarms and security systems located within the County buildings.

Mr. Dusek distributed copies of a draft resolution which would authorize use of the Apogee Energy Management System in the new Health and Human Services Building (HHSB), installed by Siemens Technologies, Inc., thereby standardizing the energy management systems used in County Buildings; *a copy of the draft resolution is on file with the minutes*. He explained that the Apogee Energy Management System was already in place at the Westmount Health Facility, Countryside Adult Home and the Municipal Center Buildings and was responsible for running the heating, ventilation and air conditioning systems therein. Mr. Dusek apprised that Siemens Technologies, Inc. recommended that the same system be used in the new HHSB in order to standardize the energy management system used; he added that this recommendation was supported by the HHSB Project engineers.

Because an energy management system was not necessary for the HHSB, Mr. Dusek said that he had contacted the Project Engineers to discuss alternative energy options and had found that in most new buildings, the implementation of an energy management system was standard as it had become an easy way to save money on heating and cooling costs. When it became apparent that the energy management system was a sensible addition to the project, he said that he had then questioned why the County should maintain installation by Siemens Technologies, Inc., rather than seeking out bids for the installation at lower prices. Mr. Dusek said that in delving into this issue he had found that the software used by the Apogee system was proprietary and would not interface with any other energy management systems. Furthermore, he advised, savings were already being realized through the use of the three energy management systems already in place and Siemens had guaranteed savings of at least \$15,000 on the HHSB system because the existing Apogee workstations could be used for operator interface at the new location. Mr. Dusek noted that because staff members were already being trained to use the Apogee management systems previously installed, further employee training would not be necessary if an identical system was implemented at the HHSB. Finally, he said that he had been advised that use of the standardized energy management system would ensure a stock of replacement parts that could be used to repair all of the systems.

Mr. Dusek stated that New York General Municipal Law allowed for standardization of the energy management systems with Siemens Technologies, Inc., without bidding the project, as Siemens would be the only company able to standardize the systems because the technology already in place was proprietary. He advised that the only other option would be to implement a different type of management system in the HHSB, which would not interface with the Apogee system already in place.

Mr. Dusek apprised that similar standardization issues were currently being faced with the fire alarms as the Sheriff's Office had a new digital system that could only be serviced by the installer due to proprietary information issues, while the older analog fire alarm system in place at the Municipal Center Building could be serviced by multiple contractors. He noted that although an RFP (Request for Proposal) had been issued for these services, it had not been possible to standardize the service, as only one company could work on the system at the Sheriff's Office and the same company was not available for service to the Municipal Center.

Mr. Girard asked Frank Morehouse, Superintendent of Buildings, for his assessment of the Apogee system installed by Siemens Technologies, Inc. Mr. Morehouse advised that although he and his staff had not yet received extensive training on the system, he had been advised by staff of the Westmount Health Facility that it was a very user-friendly system and seemed to be working well. He added that the system could also be controlled remotely by Siemens from their Albany location and in the event that an issue arose they could access the system to troubleshoot from their home offices.

Discussion ensued.

Motion was made by Mr. VanNess, seconded by Mr. Girard and carried unanimously to approve the draft resolution presented by Mr. Dusek regarding standardization of the energy management systems in County buildings, and the necessary resolution was authorized for the July 18th Board meeting. *A copy of the draft resolution is on file with the minutes.*

Along this line of discussion, Mr. Haskell asked that the Committee skip to Agenda Item 3C, which referred to the evening temperature setbacks in the Municipal Center. He advised that in order to maintain energy savings, the air conditioning would be shut off at 6:00 p.m. each evening during the summer months and the heat would be reduced to 50 degrees at the same time each evening during winter months. Mr. Haskell said that while this would certainly reduce energy costs, they had failed to recognize that the cleaning staff worked until midnight and would be affected by these changes. He noted that during recent hot weather, the cleaning staff had become very uncomfortable due to the sweltering conditions inside the building and would certainly be too cold during the winter months when there was minimal heat. Mr. Haskell said that although the Siemens Performance Contract would have to be reassessed, and the energy savings would change, he suggested that the time for the temperature resets be changed to 9 p.m. in order to make the staff working in the building more comfortable.

Mr. Morehouse noted that recent complaints regarding the lack of air conditioning had been made by participants of an evening child birthing class also.

Because the Siemens Performance Contract was very precise as to how the temperature changes would affect savings incurred, as well as their savings guarantee, Mr. Dusek stated that he would have to review the Performance Contract and contact Siemens directly to determine the extent of the effect the altered temperature changes would have on the Performance Contract. He added that the guaranteed savings amounts would absolutely be affected by altering the scheduled temperature changes. Mr. Dusek advised that he would review these issues and present his findings at the next Committee meeting.

Discussion ensued with respect to the matter.

It was the consensus of the Committee that Mr. Dusek should contact Siemens Technologies, Inc., as well as review the Performance Contract, to determine what affects changing the temperature setback times would have on the Contract and the savings guaranteed therein.

Returning to Agenda Item 2B, specifically to the fire and security facets of the standardization issue, Mr. Morehouse stated that the HHSB Project architects had been directed to issue the RFP's for fire and security in such a manner that Mahoney Notify would be able to monitor the fire portion and Linstar for the security portion once installed. Mr. Haskell stated that the fire and security facets were not going to be standardized for the HHSB unless they received bids from a competitor that was able to interface with the Linstar system.

Continuing the agenda review, Mr. Haskell returned to Agenda Item 2A, which consisted of an update on the status of the HHSB Project. He advised that Mr. Morehouse had contacted John Horgan, of Bovis Lend Lease, for the Project Schedule, a copy of which had been included in the agenda. Mr. Haskell reviewed the schedule with the Committee and he noted that as per the documentation provided, the HHSB would be ready for occupation in February of 2010.

Mr. Haskell noted that a meeting had been arranged between the Core Team; Sheila Weaver, Commissioner of the Department of Social Services and Rob Metthe, Director of Information Technology, to determine in what ways the wiring budget for the HHSB Project could be reduced. He advised that initially, plans had indicated that six connections should be installed at each workstation in order to meet computerization needs and they were hoping to reduce this amount due to the fact that currently, each workstation had only two such connections. Mr. Haskell stated that they desired to reduce the wiring budget by at least \$225,000 as they were significantly over-budget in this area. He advised that the meeting was scheduled for 9:00 a.m. on Monday, June 30th and that any Committee members interested were invited to attend.

Proceeding to Agenda Item 2C, Mr. Morehouse announced that an Abatement Team from the Mt. McGregor Correctional Facility had visited the old jail to determine whether or not they would be willing to provide the lead abatement services required. He advised that subsequent to their review of the site, they had suggested that the work not be done in-house by County employees and the services of an independent contractor should be sought instead. Mr. Morehouse apprised that the major issue was with the fact that any surface containing lead paint had to be abated prior to cutting, grinding or welding that surface. He said that this would be very difficult as they would have to determine every area requiring cutting and abate those surfaces prior to proceeding, which would take extensive planning. Additionally, Mr. Morehouse noted, a major concern of the McGregor team had been with the weight of the bars on the jail cells and the fact that those would have to be cut into thirds in order to move them, which would require the abatement of all of the lead paint covering them prior to their removal.

Mr. Thomas asked how the bars were brought into the building for installation and Mr. Morehouse replied that a crane was used to drop them into the building before the roof was added.

Hal Payne, Commissioner of Administrative & Fiscal Services, apprised that an informal meeting had been held to discuss this matter, during which he had been asked to contact area scrap yards for more information. He said that he had contacted Capital Salvage, located in the Port of Albany, NY, who had advised that there was a company located in Warrensburg that provided these services. Mr. Payne said that they were in the process of preparing an RFP for the removal of the cell bars, which would make the contractor responsible for following all State guidelines for proper ventilation during the abatement and removal. He added that the chosen contractor would pay the

County a portion of the value of the materialism removed.

Mr. Champagne noted that lead poisoning was a very serious issue and they should make sure that the firm submitting the low bid for these services was fully insured in order to alleviate the County from any liability surrounding this matter.

William Lamy, DPW Superintendent, asked if there was any asbestos in the area where the cell bars were to be removed and Mr. Payne replied in the negative, noting that there was asbestos located in the chase leading to the cells; however, he said, nothing would be removed in that area. Mr. Lamy said that they should be sure to notify anyone bidding on the project there was asbestos in the area and that it might be disturbed during the removal to avoid any possible resultant litigation.

Discussion ensued.

Mr. Champagne noted that there was an old jail slated to be removed in Washington County and he suggested that contact be made with them to determine what plans were being made to address similar issues. As the Committee was very receptive to this idea, Mr. Payne advised that he would make contact with Washington County and report his findings at their next meeting.

Motion was made by Mr. VanNess, seconded by Mr. Goodspeed and carried unanimously to approve the preparation of an RFP for removal of the bars of the jail cells located in the old jail.

Mr. Morehouse advised that Agenda Item 2D pertained to a proposed agreement with Energy Curtailment Specialists. He reminded the Committee that during previous meetings they had discussed the proposed agreement which would reimburse the County for using their generators as the main source of power for County buildings during power outages and times of high usage in other parts of the State. Mr. Morehouse stated that the Committee had requested a more detailed presentation with regards to the matter prior to making a decision; however, he said, in contacting Energy Curtailment Specialists he had been advised that they had no personnel available to make such presentation and preferred to hold a telephone conference on the matter. In addition, Mr. Morehouse noted that it had initially been indicated that the County would receive approximately \$9,000 per year for this agreement and that figure now seemed to be fluctuating to something lower.

Mr. Haskell stated that he had not been in favor of the agreement when it was presented as he did not feel the stress on the County's generators was worth the amount that they would be paid. He added that the lack of willingness to make a personal presentation on the matter, as well as the changing monetary figures associated with the agreement, reaffirmed his opinion that this was not a good idea.

Mr. Payne stated that a resolution had been adopted at the June 20th Board meeting to allow for the purchase of gas and electric for all County sites through Mega Energy Purchasing Group, which was affiliated with NYSAC (New York State Association of Counties), and this might affect any agreement for energy curtailment issues.

Joan Sady, Clerk of the Board, advised that Mr. Payne was referring to Resolution No. 426 of 2008 and that the County Attorney's Office had requested an amendment to the Resolution to alter the dates listed therein and to include language regarding termination of the agreement. *A copy of Resolution No. 426 of 2008 with notations regarding the corrections requested is on file with the minutes.*

Motion was made by Mr. Thomas, seconded by Mr. VanNess and carried unanimously to approve the request to

amend Resolution No. 426 of 2008 to alter the dates listed therein and to include language regarding termination of the agreement, and the necessary resolution was authorized for the July 18th Board meeting.

Moving on to Agenda Item 3A, Mr. Morehouse apprised that a request had been received from the Board of Elections seeking repair of the elevator located in the old jail which would be used for handicapped access to their voting machine storage space. He explained that the repairs needed would include the addition of a safety collar which would stop the elevator from falling freely in the event of a malfunction in the elevator cable and would cost approximately \$20,000. Mr. Morehouse stated that the safety repairs should be performed on both of the elevators located in the Municipal Center, totaling approximately \$40,000. He noted that the current elevator maintenance agreement would expire in August of 2008 and the contractor affiliated with the agreement had declined to renew the contract if the safety collars were not installed. Mr. Morehouse stated that he doubted any other elevator maintenance contractor would choose to accept the contract either, due to safety concerns.

Mr. Payne advised that several Capital Projects had recently been closed and the remaining funds therein had been returned to the General Fund. He suggested that a new Capital Project be established for the elevator renovations and that a portion of the funds recently returned to the General Fund be appropriated to this Project.

Mr. VanNess apprised the Committee that the space in the old jail was necessary for the Board of Elections to store the new voting machines in a climate controlled and secured area that was available for public inspection when necessary. He said that although a firm date had not been disclosed as to when the voting machines would be delivered, the elevator would have to be in working order according to safety code when the space became occupied.

Mr. Morehouse noted that the elevator maintenance company had also suggested the inclusion of an infrared system which would assist in the elevator operation and would cost approximately \$1,800. In addition, he said that a keypad system had also been suggested which would stop the elevator from traveling to the basement, also at a cost of \$1,800.

Mr. VanNess stated that the elevator in the old jail had security measures in place to limit unauthorized access to certain areas. Mr. Morehouse advised the price of \$1,800 for installation of a security keypad would only be for the main elevator located in the Municipal Center, as the elevator in the old jail already had these capabilities.

Mr. Haskell stated that since the majority of the Municipal Center had not yet been secured, he did not feel that the keypad installation was currently necessary and could be addressed again in the future if securitization efforts were undertaken. He suggested that the Capital Project for elevator renovations be established in the amount of \$41,800 for the addition of the safety collars and the infrared system.

Motion was made by Mr. VanNess, seconded by Mr. Goodspeed and carried unanimously to approve the request to establish a Capital Project in the amount of \$41,800 for elevator renovations with the source of funding to be the General Fund, and refer same to the Finance Committee. *Note: Subsequent to the meeting it was determined that this work did not necessitate the establishment of a Capital Project and the funds would be appropriated to the operating budget of the Building and Grounds Division.*

Julie Pacyna, Purchasing Agent, advised that in light of the cost, the elevator renovations would require an RFP process if the services were not available through State Contract. She said that she would check on this matter and contact Mr. Morehouse with her findings.

Pursuant to discussion on the matter, the Committee authorized the preparation of an RFP for the elevator

renovation services outlined above, provided that they were not available through State Contract.

Mr. Morehouse advised of his feeling that the fire alarms in the Municipal Center were malfunctioning as they only sounded three times when engaged, instead of staying on until shut off. He said that he had contacted two different companies regarding this matter, both of whom had suggested a new alarm system for the building, the costs of which had been estimated at \$85,000. However, Mr. Morehouse stated, he believed that there must be some way to make the current alarm system sound until it was manually shut off, although he had yet to figure out how. He added that the shortened alarm was a problem because it only sounded three times when engaged, leading employees to believe that it might have been a false alarm and staying in the building when they should be outside.

Mr. Goodspeed stated that it seemed that a fire alarm which only rang three times might have a liability issue and it might be prudent to have Mr. Dusek send a letter expressing these concerns to the alarm manufacturer regarding this matter.

Mr. VanNess advised that Brian LaFlure, First Deputy Fire Coordinator, was very experienced in working with fire alarms and he suggested that he be asked to review the current system to determine if it was malfunctioning or if something could be done to make the alarm ring for a more appropriate length of time. Mr. Haskell agreed that asking Mr. LaFlure to review the system was a good idea but he also felt that they should ask Mr. Dusek to compose a letter to the alarm manufacturer to cover both options.

Resuming the Agenda review with Item 3B, Mr. Morehouse advised that he had recently met with members of the County Courts for their annual budget meeting during which they indicated what work the Courts desired for the coming year. He reminded the Committee that they had previously discussed asbestos abatement that was necessary in the Courts which had yet to be performed and that the Court had been very patient in waiting. Mr. Morehouse explained that the glue used to adhere floor tiles in this area contained asbestos and had to be removed in order to place the new carpet, which had already been purchased and was being stored until the abatement was completed. Mr. Lamy stated that an RFP was not necessary for these abatement services as they had recently held a bid opening for engineering services for asbestos abatement. He added that once a firm was chosen for these services, a contract would be executed for the work necessary in order to rectify the situation.

Mr. Morehouse stated that he was requesting permission to move ahead with the abatement as quickly as possible as the project had been delayed for some time and the rug to carpet the area was currently being stored while waiting for this work to be completed. When asked why the new carpet could not be laid over the floor tiles, Mr. Morehouse replied that the current carpet had to be removed and in doing so the floor tiles would be disturbed, thereby exposing the adhesive which was contaminated with asbestos.

Mr. Payne asked if this abatement could be performed by the Abatement Team from the Mt. McGregor Department of Corrections and Mr. Morehouse replied that this was a possibility. Mr. Morehouse stated that he would make the proper contacts to determine if this was feasible and would return to the Committee with his findings.

Mr. Morehouse then directed the Committee members to the portion of the agenda which included a letter from David B. Krogmann, Justice of the Supreme Court. He explained that the letter requested that discussions between the Courts and the Board of Supervisors regarding space concerns in the Court be revived. Mr. Morehouse further explained that Judge Krogmann's letter included a copy of Assembly Bill 10615 which, if enacted, would add another Family Court Judge, further increasing the need for additional space. He suggested that this item be referred to the Area Utilization Work Group (*formerly known as the Space Committee*) for further discussion.

Mr. VanNess stated that Assembly Bill 10615 had been defeated and Mr. Goodspeed noted that regardless of whether or not a Family Court Judge was added, there were still space concerns that had to be addressed. Mr. Goodspeed noted that eventually something would have to be done to increase the space allotted to the Court Systems as they continued to grow rapidly and would exceed the space being used.

Subsequent to discussion on the matter, it was the consensus of the majority of the Committee that due to the current Budget issues faced, no action would be taken to increase the amount of space allotted to the Courts until such time that the County was forced to do so. Mr. Haskell said that he would contact Judge Krogmann to advise him of the Committee's decision.

Mr. Payne pointed out that the kitchen used for the old jail was a very large unused space that could possibly be abated for asbestos and renovated for the use of the Courts. He added that the only reason this space had not already been used was because asbestos abatement was required in some of the pipes located therein. Mr. Morehouse stated that he felt that if a portion of the asbestos abatement was done the entire area had to be abated, not just the one room they wanted to use. However, he said, when he contacted the Mt. McGregor Abatement Team regarding the asbestos removal from the tiles, he would inquire as to removal in this area also.

As there was no further business to come before the County Facilities Committee, on motion made by Mr. Champagne and seconded by Mr. Thomas, Mr. Haskell adjourned the meeting at 1:56 p.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist