

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS (INCLUDING AIRPORT; DPW; PARKS, RECREATION & RAILROAD; SOLID WASTE & RECYCLING AND WARREN COUNTY SEWER)

DATE: JULY 28, 2008

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN  
BENTLEY  
TESSIER  
STEC  
MERLINO  
HASKELL  
CHAMPAGNE  
TAYLOR  
GOODSPEED

OTHERS PRESENT:

REPRESENTING THE WARREN COUNTY AIRPORT:  
DON DEGRAW, AIRPORT MANAGER  
REPRESENTING DPW:  
WILLIAM LAMY, SUPERINTENDENT  
JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING  
KEVIN HAJOS, SENIOR CIVIL ENGINEER  
REPRESENTING PARKS, RECREATION & RAILROAD:  
PAUL BUTLER, DIRECTOR  
FREDERICK MONROE, CHAIRMAN  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
SUPERVISORS GERAGHTY  
STRAINER  
THOMAS  
JULIE PACYNA, PURCHASING AGENT  
KIM LUSSIER, EMPIRE EAST AVIATION  
TOM GARRETT, SIEMENS BUILDING TECHNOLOGIES, INC.  
STEPHEN LYNCH, INTERCOUNTY SOLID WASTE COORDINATOR  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST  
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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

Motion was made by Mr. Tessier, seconded by Mr. Taylor and carried unanimously to approve the minutes from the July 1, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Don DeGraw, Airport Manager, who distributed copies of the Airport agenda to the Committee members. *A copy of the agenda is also on file with the minutes.*

Mr. DeGraw began the agenda review with New Business Item 2, which pertained to a request for permission to apply for an FAA (Federal Aviation Administration) Airport Improvement Project (AIP) grant in the amount of \$37,000 through the FAA - NYADO (New York Airports District Office). He explained that the grant funds would be used to acquire snow removal equipment in the form of a Skid Steer with a snow blower attachment for use at the Airport. Mr. DeGraw added that the County would be required to fund 2.5% of the purchase costs, a total of \$925, which was available within the existing Airport Budget.

Mr. Champagne asked what type of Skid Steer would be purchased and Mr. DeGraw replied that he intended to purchase a Cat 246C model with a five foot wide snow blower, as well as some other attachments which would allow for snow removal around the existing light poles and signs. Hal Payne, Commissioner of Administrative & Fiscal Services, questioned if the machinery would be purchased at State Contract pricing and Mr. DeGraw replied

affirmatively. Mr. Belden asked if a bucket attachment could be used on the Skid Steer when it was not being used for snow removal and William Lamy, Superintendent of Public Works, replied affirmatively, noting that the machinery could be used year-round.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request to apply for FAA-AIP grant funding as outlined above and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

*Note: Subsequent to the meeting Mr. DeGraw was informed that the FAA grant application deadline was August 6, 2008; therefore, it would be necessary to ratify the actions of the Airport Manager in applying for the grant.*

Mr. DeGraw apprised that Agenda Item 3 included a request to amend the County Budget to increase estimated revenues and appropriations to reflect the acceptance of FAA-AIP grant funding in the amount of \$37,000.

Motion was made by Mr. Tessier, seconded by Mr. Taylor and carried unanimously to amend the County Budget to increase estimated revenues and appropriations in the amount of \$37,000 to reflect the acceptance of FAA-AIP grant funding and refer same to the Finance Committee. *A copy of the request is on file with the minutes. Note: subsequent to the meeting it was determined that the County Budget would actually be increased by \$36,075 as the Local Share of \$925 was to be funded from the Airport Budget.*

Agenda Item 4, Mr. DeGraw explained, consisted of a request to authorize Out-of-State travel for two Airport employees to attend an Airport lighting maintenance seminar in Windsor, Connecticut on September 8, 2008 through September 11, 2008. He said that the seminar was being administered by Crouse-Hinds Airport Lighting Products and the subject matter would pertain to items in place at the Airport. Mr. DeGraw stated that he felt it was very important that his staff attend the training in order to update their knowledge and ability to maintain the equipment. Mr. Lamy interjected that another important factor to consider was that a current Senior Maintenance employee would be retiring in the next few years and this was an opportunity to advance the knowledge of younger staff members who would eventually be promoted to this position.

Mr. Belden asked if the funds necessary to support the travel were available within the existing Airport Budget and Mr. DeGraw replied affirmatively.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request for Out-of-State travel for Airport Maintenance Workers Derrick Blackmer and Brian Gereau to attend the Crouse-Hinds Airport Lighting Maintenance seminar in Windsor, Connecticut as outlined above and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Resuming the agenda review, Mr. DeGraw advised that Item 5 pertained to a request to authorize an agreement with the Adirondack Balloon Festival for the use of the Floyd Bennett Memorial Airport for the Balloon Festival event to be held on September 19, 2008 through September 21, 2008.

Mr. Belden asked if a decision had been made concerning the source of funding for the 2008 Adirondack Balloon Festival costs and Mr. Lamy replied affirmatively, noting that the matter had been determined at the previous Board meeting held on July 18<sup>th</sup>. Mr. Haskell inquired as to whether a Committee had been set up to determine how monies could be generated to fund future Balloon Festivals and Chairman Monroe replied affirmatively, adding that the Committee had been established and members appointed to it.

Mr. Payne noted that he had spoken with Michael McCarthy, President of the Balloon Festival Committee, who had advised that he wished to speak with the Occupancy Tax Committee as, although he had no objection to applying for occupancy tax funding as desired by the Board of Supervisors, they needed to be sure that the funding received would cover the costs of the Event, including those of the light tower and portable restrooms rentals, as well as DPW employee salaries. He added that the Balloon Festival Committee faced cost concerns for the 2009 event as 2008 was the last year that Walter Grishkot would be involved with the event and selling advertising on a year-round basis. Mr. Geraghty, Budget Officer, stated that funding for the Balloon Festival would not be included in the 2009 DPW Budget; therefore, other arrangements had to be made to support the event.

Subsequent to discussion on the matter, it was determined that Mr. McCarthy should be directed to meet with the recently appointed Balloon Festival sub-Committee to determine alternate sources of funding for the event, prior to meeting with the Occupancy Tax Committee.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request to authorize an agreement with the Adirondack Balloon Festival as outlined above and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Proceeding to the Old Business portion of the Agenda, Mr. DeGraw advised that he had included a summary of general Airport activity over the past month in the agenda. He asked the Committee members to review this information at their leisure and contact him with any questions they might have. Mr. DeGraw pointed out that 100LL fuel sales had decreased by approximately 50% from the prior year and he assumed that this was due to rising fuel costs. Kim Lussier, Fixed Base Operator (FBO), interjected that this was incorrect and he explained that a special event held during the prior year had boosted fuel sales for the month of June. He noted that because such an event had not been held in June of 2008, it appeared that there had been a large decrease; however, Mr. Lussier added, he assumed that inclement weather and gas prices had also affected the 100LL fuel sales.

Mr. Payne noted that the third item listed in Mr. DeGraw's summary apprised of an incident on July 17<sup>th</sup> during which a large jet had inadvertently jet blasted passengers, FBO employees and people watching airplanes from the Airport terminal deck and while no injuries had been reported, minor damage to the terminal had been incurred. He asked if the damages were reported to the insurance carrier and Mr. DeGraw replied in the negative as the damage was very minimal. He added that a garbage lid had been cracked, although it was still usable, and there were some scratches on the window and casing of the Airport terminal but he did not feel that the damages sustained were sufficient to report a claim. Mr. DeGraw advised that because the incident had been caused by the error of the pilot, he had reported the matter to the FAA FSDO (Flight Safety District Office) who would follow-up with the pilot. He added that this was a transient pilot who had not been to the Airport before and the pilot had returned to the Airport since the incident to make his apologies for the occurrence. Mr. Payne stated that an incident report had to be filed with respect to the matter so that if something of the like occurred again in the future, there was a history of such incidents.

Messrs. Merlino and Stec entered the meeting at 9:43 a.m.

Concluding the agenda review, Mr. DeGraw addressed the listing of items pending from prior Committee meetings, which he detailed as follows:

1. Mr. DeGraw stated that no further action had been taken with respect to the validity of an easement on the Chartrand parcel;

2. Regarding the RFP (Request for Proposal) issued for the FBO contract, Mr. DeGraw apprised that the bids were scheduled to be opened on July 31<sup>st</sup> and a determination as to the future Airport FBO would be made at that time;
3. Mr. Lamy stated that no decision had been made as to the replacement for Marshall Stevens, former Airport Manager, on the NYSAC (New York State Association of Counties) Public Safety Committee;
4. Mr. DeGraw advised that he had sent a letter of request to the State to determine if round two State grant funding was available to complete the Self-Serve Fueling Station Project but had yet to receive a response. He said that he would apprise the Committee of any new information as it became available;
5. Referring to the paving costs for paving requested in connection with the L.S.L. T-Hangars, LLC, lease site, Mr. DeGraw said they had estimated a County expense of approximately \$20,000 to pave the 14,000 sq. ft. desired. Mr. Lamy added that this amount would be included in the 2009 Airport Budget request.

Mr. Tessier asked if Mr. DeGraw had received any report from the FAA with respect to the report on a helicopter landing at an un-designated location in the Town of Lake George and Mr. DeGraw replied in the negative.

As there was no further Airport business to present, privilege of the floor was extended to Mr. Lamy to begin the DPW portion of the Public Works Committee meeting. Mr. Lamy distributed copies of the DPW agenda to the Committee members, a copy of which is on file with the minutes.

Mr. Lamy began by introducing his newest staff member, Kevin Hajos, Senior Civil Engineer. He reminded the Committee that Mr. Hajos had previously been employed by Clough, Harbour & Associates (CHA) and had served as the CHA Project Manager for the Corinth Road Project. Due to his prior experience, Mr. Lamy advised that they intended to harness Mr. Hajos' knowledge and talents for the Corinth Road Project, as well as other Federal and State-Aid projects.

Mr. Lamy stated that the next agenda item pertained to the proposed Energy Savings Contract as offered by Siemens Building Technologies, Inc. for the DPW Maintenance Shop and Administration Buildings located in the Town of Warrensburg; however, he said, discussion on this item would be postponed pending the arrival of the Siemens representative.

Proceeding with the agenda review, Jeffrey Tennyson, Deputy Superintendent of Engineering, directed the Committee members to page five which reflected a request to amend the contract with R&B Construction to authorize their use of a subcontractor for fence installation along the Brant Lake Dam. He said that they had been advised by the County Attorney that as per Municipal Law, a resolution was necessary to authorize the use of a subcontractor. Mr. Tennyson explained that approximately 240 ft. of chain link fencing was necessary around the lower dam, which was not in safe condition currently, in addition to a short section on the upper portion of the dam where work had been performed during the Fall of 2007. He noted that Afsco Fence Supply Co., Inc. would be used as the subcontractor and would complete the work at a cost of \$7,800.

Mr. Geraghty pointed out that the Purchase Authorization form included on page six of the agenda listed a total cost of \$9,000 for the work and he questioned the difference. Mr. Tennyson apprised that the additional cost of \$1,200 was for the removal and disposal of the old fencing which had already been done by R&B Construction. Mr.

Belden asked if the funds were available to support the costs within the Capital Project and Mr. Tennyson replied affirmatively.

Motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to amend the contract with R&B Construction to authorize the use of a subcontractor for fence installation at a cost of \$7,800, as outlined above, and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that the next agenda item pertained to the sale of excess County-owned right-of-way (ROW) located on Knapp Hill Rd., (CR #65), documentation of which began on page nine. He explained that the buyer, Inergy Propane LLC, dba Riverside Gas and Oil Co., had been working on the conveyance for some time and had finally completed all of the work necessary to facilitate the sale, including property value appraisals which had been approved by Michael Swan, Director of Real Property Tax Services. Mr. Tennyson stated that the conveyance consisted of a very narrow sliver of property needed to better accommodate the fuel tanks on the buyer's property. He said that in their review, the DPW had deemed this ROW to be unnecessary excess and it was proposed that the parcel be transferred at a cost of \$2,000 as per the appraisal approved by Mr. Swan.

Motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to authorize the conveyance of Town of Chester Tax Map Parcel No. 103.-2-22 to Inergy Propane, LLC, dba Riverside Gas and Oil Co. at a cost of \$2,000 and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Continuing the agenda review, Mr. Tennyson directed the Committee members to page 14 which reflected a request to authorize the Chairman of the Board to approve Just Compensation amounts for ROW acquisitions in connection with the Corinth Road Project. He explained that although the Board of Supervisors had previously approved this request, the original appraisals were too old to be used and the current appraisals were higher than the initial ones. Mr. Tennyson reminded the Committee that Resolution No. 488 of 2008, approved at the July 18<sup>th</sup> Board meeting, had authorized the Chairman of the Board to approve revised Just Compensation amounts when the revision added \$500 or less; however, he said, the revisions were \$550 and \$1,150 more than the original figures.

Motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to authorize the Chairman of the Board to approve Just Compensation amounts for the Corinth Road Project as outlined above and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson noted that when Resolution No. 488 of 2008 was approved, a \$500 limit had been included at the suggestion of the County Attorney with the notation that the limit could be amended in the future as necessary. He added that the Committee may need to consider increasing the limit in the future if they began to see frequent increases over the specified amount. Mr. Tennyson stated that strict Federal guidelines were followed to determine the property values in addition to appraisal reviews which did not leave any room for negotiation by the County.

Subsequent to discussion on the matter, motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to amend Resolution No. 488 of 2008 to increase the limit by which the Chairman was able to approve revised Just Compensation amounts to \$2,000 and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson noted that in light of the Committee's action to increase the Chairman's authority to approve revised

Just Compensation amounts, the previous action to approve the increased Just Compensation amounts was unnecessary.

Continuing with the agenda review, Mr. Tennyson updated the Committee on the status of the County Fuel Farms. He stated that major changes had been made in the previous weeks in terms of the methods used for data collection at the Fuel Farm sites and they were attempting to make their accounting systems as accurate as possible in order to generate appropriate reconciliations to meet the NYSDEC (New York State Department of Environmental Conservation) 10-day reconciliation requirement. Mr. Tennyson apprised that they had received great responses from all of the Fuel Sites, including the four Town sites, as to gaining more accurate information. He said that adjustments would continue to be made to the data collection procedures as they were still identifying some areas of inaccuracy, which if improved, would save a lot of work in the end when they did not have to travel to sites where reconciliations were not accurate. Mr. Tennyson apprised that whenever there was an inaccurate reconciliation, they were required to visit the Fuel site and perform an investigation if the numbers did not match. He noted that all of the investigation work had to be done regardless of whether or not there was an actual product leak or if the equipment was in working order. Mr. Tennyson asked all of the Committee members to pass this information on to their Town staff and note that they were trying to advance the efforts and were asking for nothing more than what was required by the NYSDEC and were trying to eliminate any source of error so that the reconciliations would be correct.

Mr. Lamy advised that if the reconciliation errors continued to occur regardless of the following of the series of steps required by NYSDEC, eventually they would be required to shut down the Fuel Farm with the inaccuracy until they could perform more extensive inspections to determine the source of the inaccuracy in order to protect the County from litigation. He said that in order to proceed appropriately and avoid such closures, they needed the support of the Towns that had fuel stations. Mr. Lamy said that Mr. Tennyson, as well as other staff members, were involved in the reconciliation measures and although they were experiencing some difficulty, they had made tremendous progress with the reporting process in the past couple weeks. He added that there had been no lack of cooperation with the Town sites, but rather a lack of understanding as to the new reporting procedures being implemented. Mr. Lamy stated that they appreciated the understanding and cooperation of the Supervisors with Fuel Farms in their Town.

Mr. Champagne stated that although he was not one of the Supervisor who had a Fuel Farm in his Town, he felt that if Mr. Lamy was to draft a letter to this effect it would greatly assist the Supervisors concerned as they would have something for presentation to their Town Board and the staff involved with the Fuel Farms, as well.

Discussion ensued with respect to the matter.

Tom Garrett, Siemens Building Technologies, Inc., entered the meeting at 10:15 a.m.

As Mr. Garrett had joined the meeting, Mr. Tennyson advised that they would begin discussion on the Siemens' Energy Contract for the Warrensburg DPW Maintenance Shop and Administration Buildings.

Mr. Garrett distributed copies of an Energy Audit performed for the Buildings, a copy of which is on file with the minutes, and he briefly reviewed the report for the benefit of the Committee. During his presentation, Mr. Garrett pointed out that a relatively large amount of manpower was being used to manually turn things off and on at the Warrensburg Shop, which would be avoided through the use of an Energy Management System.

He noted that during their Audit they had found that the air quality within the Shop and Administration Buildings was not being exchanged correctly, and was not meeting building code requirements, as the equipment used to address the issue was being turned off. Mr. Garrett added that although the County was saving money on electrical costs by shutting things off, they were not providing the air quality required by building code. He stated that energy costs would actually increase by approximately \$50,000 - \$60,000 annually by running the Buildings correctly. He advised that Siemens had contracted with CHA at the start of the Audit process in order to gain a third party engineering prospective on any issues discovered and also to have PE (Professional Engineer) approval of the final design for the waste oil point and also the evaluation of the required amount of energy to run the Maintenance Shop and Administration Buildings efficiently.

Mr. Garrett apprised that the facility improvement measures consisted of the following:

- Automating the energy in the building;
- Balancing the air flow in the building correctly;
- Measuring the carbon dioxide present in the building and making air changes according to carbon dioxide level, rather than making automatic changes;
- Automatic reset of boilers based on air temperature, time of day and day of year;
- Changing the Office Air handlers from a manually controlled system to an automated system;
- Alterations to the MUA (Make up air unit) which would change the use of a constant exhaust fan to a variable frequency drive which would slow down the motor/fan speed as required to maintain the building pressure relationship from a differential pressure sensor;
- Upgrades to the lighting in place.

Mr. Garrett noted that because the Administration Building did not have a fire alarm system in place, a recommendation for installation of an alarm system was included in the Energy Audit. He said that this would increase safety in the building and would likely decrease insurance premiums. In addition, Mr. Garrett stated that the Siemens Energy Audit had recommended the installation of a closed circuit television security system, as the Maintenance Shop had no such system in place currently. However, he advised, Mr. Tennyson had requested that this suggestion be removed from the Energy Savings contract; he added that the figures listed on the Financial Analysis page would be reduced by \$21,968 for the removal of the security system.

Proceeding to the Pro Forma Data page, Mr. Garrett advised that a 12-year bond could be used for the project, which would be paid for through annual energy savings with no costs to the County. He noted that the percentage rate included in the Pro Forma could not be guaranteed and was simply the interest rate available at the time that the document was generated. Mr. Garrett then reviewed the cost implications of the Energy Management System, noting that the Project would be revenue neutral and would eventually produce a positive cash flow for the County.

Mr. Haskell apprised that issues were currently being experienced with the time that the heating/cooling system temperature changes were made in the Municipal Center Building as there was staff working during the hours where there was no climate control and he asked if these issues had been accounted for in the Energy Management System proposed for the Warrensburg Maintenance Shop, as there would be staff working at the building around the clock during winter storms and other such events. Mr. Garrett replied that this issue had been accounted for in the Energy Contract and he noted that a manual override would be in place which would allow for staff to bypass the automated system as necessary. He added that the timing of the manual override could be set to allow the building to be brought back to the median temperature for a certain amount of time, at which point it would return to the

scheduled temperature changes. Mr. Garrett stated that the system could be monitored from the base system at the Municipal System or remotely via computer.

When questioned about the energy savings guarantee, Mr. Garrett apprised that although Siemens could not guarantee the interest rates associated with the Energy Savings Contract, they could ensure a reduction in the units of energy and gallons of fuel used which would lead to energy cost savings.

Mr. Haskell suggested that they move forward with the Energy Savings Project at the Warrensburg Maintenance Shop and Administration Building in light of the results received from the system in place at the Westmount Health Facility, wherein the energy savings had been twice what was expected.

Discussion ensued with respect to the matter.

Motion was made by Mr. Haskell, seconded by Mr. Goodspeed and carried by majority vote to approve a new contract with Siemens Building Technologies, Inc. for the final design, installation, maintenance and monitoring of energy and infrastructure improvements at the Warrensburg Maintenance Shop and Administration Building, with Mr. Belden voting in opposition, and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Belden apprised that he would not vote in favor of the Project until more detailed figures were presented with respect to the cost of the project and the savings guarantee. Mr. Garrett stated that he would gather this information and forward it to him through Mr. Tennyson.

Resuming the agenda review, Mr. Lamy advised that during the 2008 Budget process he had worked with Robert Metthe, Director of Information Technology (IT), to identify computer technology needs of the DPW and the monies to fund the necessary improvements had been included in the 2008 Budget. He noted that a major networking project had recently been completed at the DPW Offices to try and bring the level of technology in use to the same level as the rest of the County and to improve the hardware and software in use. Mr. Lamy stated that funding had been included in an IT Capital Project, as well as in the DPW Budget to fund the purchases necessary in connection with the technology enhancements, which Mr. Tennyson had reviewed to ensure that the purchases were founded and that the funds were being spent appropriately to meet the Departments needs. He said that Mr. Tennyson had worked with IT staff to determine exactly what software and hardware was necessary to support the Department and that list was submitted for purchasing approval in accordance with the new standards recently put in place. Mr. Lamy apprised that subsequent to this review, only one of the computers listed in the request was approved, for Mr. Hajos, while the rest were denied as it was felt that they were unnecessary. He added that they were looking to revisit the issue of upgrading the DPW computer system and he noted that the Committee's decision would impact the finalization of his 2009 budget request and he asked Mr. Tennyson to update the Committee on the upgrades they were attempting to make.

Mr. Tennyson stated that the DPW Office incorporated a main computer server that was used to support the telephone system used therein, but was never set up to allow the sharing of computer or project files between staff members. For this reason, he said, it was necessary to save files to a disk in order to share them with other users, which was an inconvenience. Mr. Tennyson stated that in addition, there was no way to back-up their files; therefore, he said, projects had to be saved on individual desktops and had only disk backups when made. He said that their goal was for all users to become integrated on one server, which the IT Department had achieved on their

behalf. Mr. Tennyson said that they now needed to purchase a back-up system that would periodically save all of the information on the server to be stored off-site in order to save work in the event of a fire or other building issues. Although they were moving forward with the desired changes, he advised that they required the purchase of the hardware supporting such changes, as indicated in the purchase request, consisting of new desktop computers.

Mr. Tennyson stated that another necessity was in the area of software, as indicated by Mr. Lamy. He said that approximately \$17,000 had been budgeted for software upgrades, from which the requests had been pared down significantly to include only what was necessary for 2008, while the remaining software purchases would be included in the 2009 Budget request. Mr. Tennyson advised that the 2008 software requests included the purchase of a CAD system that allowed the engineering staff to develop project plans and drawings as necessary for in-house construction operations, such as the salt sheds, the ramp at the Thurman Rail Station and other in-house projects. He said that the full version of the CAD program was not necessary and he felt that they could work sufficiently with a downgraded Auto-CAD Light version of the software which was commonly used and was much less expensive at approximately \$1,100 per user. Mr. Tennyson stated that the introduction of the Auto-CAD Light software would provide the engineering staff with the ability to upgrade to a modern system which would allow them to receive and open drawings from consultant firms and would serve to standardize the software used. He advised that this was exactly what software was needed and nothing more.

Mr. Thomas entered the meeting at 10:30 a.m.

Mr. Lamy noted that he had employees whose abilities exceeded that of the computer software in place. He added that if the upgraded software and hardware had been in place previously, the County could have saved approximately \$39,000 on the re-alignment of Meadowbrook Road as the engineering staff would have had the ability to perform some of the project design work that had previously been contracted out to other consulting firms. Mr. Lamy stated that he was certain more of these projects would arise in the future which the engineering staff were fully capable of providing plans for, if the proper tools were in place for their use. He concluded that the upgrades would make the DPW operate more efficient by increasing the capabilities of the software, standardizing the programs used and allowing DPW staff to share files remotely.

Mr. Payne noted that at a previous meeting of the Information Technology Committee the upgrades had been discussed and Mr. Metthe had been directed to travel to the DPW Office to make a determination as to whether or not the additional computer purchases were necessary. Mr. Lamy advised that to his knowledge, Mr. Metthe had not visited the Office to make this analysis.

Discussion ensued.

Motion was made by Mr. Bentley, seconded by Mr. Champagne and carried unanimously to authorize the software and hardware purchases requested by the DPW.

As Committee action had been taken, Mr. Goodspeed asked that Mr. Metthe be notified that his analysis of the DPW computer equipment was no longer necessary and Mr. Payne advised that he would be sure to do so.

Resuming the agenda review, Mr. Lamy apprised the Committee that many of the items listed on the DPW Equipment Bond had been purchased. He reminded the Committee that the Equipment Bond was broken down into four categories consisting of the following:

1. Automobiles;

2. Items up to \$15,000;
3. Items between \$15,000 and \$30,000;
4. Items over \$30,000.

Mr. Lamy said that, as previously reported, he had been able to purchase a used Grade-All at a savings to the County of \$127,000. He added that while savings had been attained on the purchases of other listed items, there had been overages also. However, Mr. Lamy stated, he projected that there would be approximately \$130,000 leftover in the Equipment bond once all of the items listed had been purchased and he asked the Committee how he should proceed in handling the remaining funds. He advised that the funds could be used to address equipment needs not listed in the bond, or they could simply decline to use the funds, in which case the capacity of the bond would not be reached.

Joan Sady, Clerk of the Board, questioned whether the bond could be used in this manner, noting that it was her understanding that the bond funds could only be used to purchase the items listed therein. Mr. Lamy replied that he had spoken with Paul Dusek, County Attorney, with respect to the matter and had been advised that as long as he respected the categories listed, he could fulfill the limits of the bond. Mr. Payne added that he had received the same clarification from Mr. Dusek.

Discussion ensued with respect to the matter.

Motion was made by Mr. Goodspeed, seconded by Mr. Tessier and carried unanimously to authorize Mr. Lamy to proceed in making additional DPW equipment purchases to fulfill the limits of the DPW Equipment Bond.

Mr. Lamy proceeded with the next agenda item, which was a paving update. He advised that all of the County paving projects had been completed and they were now working on the Town paving projects. He noted that asphalt costs had recently risen by \$9 per ton to \$28 per ton more than when the project bids were awarded.

Referring to the next agenda item, crosswalks on County roads, Mr. Lamy apprised that he had received requests from Town Supervisors requesting that crosswalk signs be installed. He said that on some State roads these types of signs had been installed in the middle of the road to reflect the State Law which stated that cars were required to stop for pedestrians in crosswalks. Mr. Lamy stated that he recommended that the signs be installed; however, he said, he wanted to gain the support of the Committee before proceeding.

Mr. Belden said that he agreed that the signs should be installed. Mr. Bentley asked if it was legal to place the signs in the middle of County roads and Mr. Lamy replied that he was unsure if this was legal or if NYSDOT (New York State Department of Transportation) had received special permits, but he said he would research the matter to find out.

Proceeding to the "FYI" portion of the agenda, Mr. Tennyson apprised that the DPW engineering staff were doing well with the design for the addition of a turning lane on Peaceful Valley Road and they anticipated that they would have drawings ready for submission to NYSDOT for comment within the next two to three weeks. He said there was one minor issue with the project which he would discuss with Mr. Goodspeed after the meeting.

Mr. Lamy said that recently a meeting had been held regarding the Northway Exit 20 Corridor Study which was well attended. He said that Creighton Manning would be advancing the project and that public hearings would be held regarding the matter very soon. Mr. Lamy stated that he hoped to propose solutions for management of traffic on

State Route 9 near Northway Exit 20.

Referring to the proposed transfer of County-owned property located on Bay Road, Mr. Lamy apprised that he had spoken with the surveyor hired by the party seeking acquisition of the property and the surveyor was to prepare the appropriate map for submission, thereafter a fee would be determined for the transfer, at which time he would present the Committee with a request for their review and approval of the transfer.

Concluding the agenda review, Mr. Lamy addressed the listing of items pending from prior Committee meetings, which he outlined as follows:

1. Regarding the Corinth Road Project, Mr. Lamy apprised that he had no update for the Committee. Mr. Stec interjected that the Town of Queensbury Board had held a meeting during which they had discussed possible bonding solutions for the costs incurred through ROW property acquisitions, as well as the Town's portion of any litigation costs resulting from legal action in connection with the under-grounding of utilities. Mr. Stec noted that R.K. Hite (RKH) was currently working on property acquisition agreements in connection with the Project on the Town's behalf and he asked if there was a listing of the necessary ROW's that would require condemnation actions. Mr. Tennyson stated that there was a short list of properties that they felt a reasonable agreement could not be reached for the ROW; however, he said, they had not begun any condemnation actions. He added that there was also a slightly longer list of properties on which they were still working to reach agreeable terms for ROW acquisition, which seemed attainable;
2. Mr. Lamy advised that there would be no presentation on the Budget Performance Report as it was presented on a quarterly basis;
3. Regarding the impact to the County from the Queensbury Avenue sanitary sewer district rate increase, Mr. Lamy apprised that any cost implications would be addressed in his 2009 Budget submission; therefore, it could be removed from the pending items listing;
4. Mr. Lamy stated that he had contacted NYSDEC regarding work to be performed at Scaroon Manor but had received no response as to services desired;
5. Discussion regarding the addition of a turning lane on Peaceful Valley Road was held previously during the meeting. Mr. Lamy stated that he would continue to report on the status of the addition as part of his regular agenda and the item could be removed from the pending items list;
6. Mr. Lamy noted that the request that the DPW assume vehicle maintenance for Sheriff's vehicles had been tabled pending the receipt of further information from the Sheriff's Office, which had yet to be received. Mr. Lamy asked that this item be removed from the pending items list as there was no need to retain it;
7. Discussion regarding the transfer of County-owned property located on Bay Road was held previously during the meeting;
8. With respect to the NYSDEC violation citations at the North Creek fuel farm, Mr. Lamy advised that Mr. Tennyson had been working with Mr. Dusek in responding to the NYSDEC violations and he believed that a meeting would be scheduled between Mr. Dusek and NYSDEC to further discuss the matter;
9. Mr. Lamy stated that he had nothing to report with respect to the Stormwater Officer position being reviewed by the attorney's for the City of Glens Falls, Town of Queensbury and Warren County;
10. Regarding a claim made by a resident of the Town of Thurman with respect to their car sustaining damage during road painting, Mr. Lamy said that he had been advised that the matter was settled. Mr. Haskell confirmed that the matter had been addressed to the resident's satisfaction and he

thanked Mr. Lamy for his attention to the matter. Mr. Lamy noted that this item should be removed from the pending items listing;

11. Mr. Lamy said that the tree planting arrangements planned in connection with the Meadowbrook Road re-alignment would be addressed the following day and he asked that the item be removed from the pending items list.

Mr. Geraghty asked if a notation on the status of work on the Milton Avenue Bridge in the Town of Warrensburg could be added to the listing of pending items to keep the Committee, and himself, aware of the status of the project. Mr. Lamy replied that he had received a call from a representative of the appraisal firm that they would be making offers for real estate acquisition and once that was done he thought the next step would be the presentation of project plans to NYSDOT for approval. Mr. Tennyson stated that in the meantime specifications and drawings would be prepared for the project.

Mr. Geraghty stated that he was constantly questioned as to when the bridge would reopen as it was frequently used by residents. Mr. Haskell added that he also was being questioned by Thurman residents as they were unhappy that this route could no longer be traveled. Mr. Geraghty asked if the County might be able to spend some funds to repair the bridge sufficiently so that it could be reopened for single lane traffic and Mr. Lamy replied that he would never drive across the bridge again, even if the abutment was repaired. He added that the County was lucky that the bridge had been closed before any injuries occurred and he said that any money spent to re-open the bridge as a temporary fix would not be well spent.

Mr. Belden asked Mr. Lamy to draft a letter to be forwarded to Mr. Geraghty and Mr. Haskell for presentation to their residents explaining why the bridge was not being reopened and what actions were being taken to reconstruct the bridge. Mr. Tennyson stated that he would be happy to prepare such a letter for the benefit of both Mr. Haskell and Mr. Geraghty.

Mr. Taylor stated that he had spoken with the Superintendent of the City of Glens Falls Highway Department who had indicated that he was very appreciative of the cooperation and assistance received from Mr. Lamy and the Warren County DPW staff and Mr. Taylor thanked Mr. Lamy also.

As there was no further DPW business to report, Mr. Lamy began his review of the Warren County Sewer agenda, copies of which were distributed to the Committee members. *A copy of the Warren County Sewer agenda is on file with the minutes.*

Beginning the agenda review with the Old Business section, Mr. Lamy directed the Committee members to page two, which reflected the listing of items pending from prior Committee meetings. He said that there was only one pending item listed which pertained to the status of the bid process for work required at the Town of Bolton Wastewater Treatment Plant (WWTP) for upgrades to a pump station and a force main. Mr. Lamy apprised that himself, Mrs. Simmes and representatives of the EPA (Environmental Protection Agency) had conversed on the matter and he had been advised that the EPA was currently reviewing the proposed design for the upgrades and hoped to have an answer as to whether the designs would be approved and could then be implemented.

Moving to the New Business section, Mr. Lamy advised that beginning on page three of the agenda he had included copies of a C.T. Male Associates, P.C. Change Order with Lash Contracting that he had approved in connection with the Town of Bolton Phase 2 WWTP Improvement Project. He explained that the change order had been necessary as when Lash Contracting was installing a polyethylene lining within an existing manhole close to Lake

George they had discovered that the manhole was extremely deteriorated and they feared that failure to fix the issue would lead to a spill. Mr. Lamy stated that in order to maintain a consistent paper trail for the project, the County Auditor had asked that he bring the change order to the Committee for their review and ratification of his approval. He added that the costs resulting from the change orders had been covered by funds allocated to the Town of Bolton for the Project. Mr. Lamy noted that a resolution was not necessary, he simply required Committee consensus to be reflected in the minutes for presentation to the County Auditor.

Motion was made by Mr. Bentley, seconded by Mr. Haskell and carried unanimously to approve the Change Order with Lash Contracting as outlined above and to ratify the actions taken by Mr. Lamy in approving such.

Mr. Lamy apprised that page six of the agenda reflected a request to authorize the Superintendent of Public Works to approve change order #6 with Lash Contracting, Inc. for work at the Town of Bolton WWTP. He explained that the change order involved the replacement of existing deteriorated steel panels on the trickling filter building, both roof and siding, as well as repair of failed truss gussets, at an increased cost of \$51,500. Mr. Lamy added that the Town of Bolton had approved the change order and the associated costs would be paid from the Town of Bolton allocation of the Lake George Basin Sewer Project.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve change order #6 with Lash Contracting, Inc. as outlined above and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Continuing, Mr. Lamy reminded the Committee that they had previously reviewed and approved a resolution to authorize a contract with the responsible low bidder for the Hague Sewer District No. 2 sewer extension. He said that the bids for the Project were opened on July 3<sup>rd</sup> and during the prior week he had attended a Town of Hague Board meeting wherein upon public sentiment had rejected the bids due to high costs. Therefore, Mr. Lamy advised, the Project had been re-bid and the new bidding documents included an asphalt index number in hopes that the bids would come in lower. In addition, he said that there had been a few firms that had failed to submit bids for the project due to the volatile asphalt environment. Mr. Lamy said that the new bids would be opened on August 18<sup>th</sup> and in order to award the contract to the low bidder, assuming that the bids were acceptable, he requested a resolution authorizing the Chairman to approve construction contracts in order to advance the project appropriately. He added that the resolution previously approved by the Board of Supervisors had become null and void upon the rejection of the bids by the Hague Town Board.

Motion was made by Mr. Goodspeed, seconded by Mr. Taylor and carried unanimously to authorize the Chairman to approve construction contracts with the responsible low bidder for the Hague Sewer District No. 2 sewer extension and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Haskell exited the meeting at 11:17 a.m.

Mr. Lamy directed the Committee members to agenda page ten, which reflected a request to extend the contract with CHA for the Warren County Sewer Project for an amount not to exceed \$15,611. He explained that the reason for this was that when they had rejected the bids for the Hague Sewer District the addition of specifications for the second bid had required a re-working of the documents that had incurred additional fees. In addition, Mr. Lamy said that in the previous bid they had been required to include a section on the maintenance and protection of traffic, the total effort for which was \$6,731, while the re-bidding services were \$8,880, for a total of \$15,611.

He said that these costs would be charged against the Hague portion of the Sewer Project and would have no impact on the County.

Motion was made by Mr. Stec, seconded by Mr. Goodspeed and carried unanimously to approve the request to extend the existing contract with CHA for an amount not to exceed \$15,611 as outlined above and the necessary resolution was authorized for the August 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Concluding the agenda review, Mr. Lamy presented a request to authorize execution of change orders for the Sewer Project, which was included on page 15 of the agenda. He said that this would clarify Resolution No. 315 of 2001 which authorized his approval of change orders. Mr. Lamy explained that he had reviewed the previous resolution with Julie Pacyna, Purchasing Agent, as well as the County Attorney, and there had been some difference of opinion in exactly what the resolution specified. He said that his understanding of the authorization to approve change orders, and the procedure that had been used for \$17 million worth of expenses to date, was that he was able to approve change orders up to \$10,000 allowing him to authorize as many change orders as he was able without exceeding an aggregate limit of \$50,000. Mr. Lamy said that it was his understanding that once the change orders were presented to the Committee for review and approval the aggregate limits would be started over. He said that the purpose of this was to allow for projects to continue without the need for special Committee meetings to gain such approval as they were routine occurrences. Mr. Lamy noted that throughout the \$17 million project, he had approved somewhere in the area of \$1 million worth of change orders using this procedure. He explained that Mrs. Pacyna was seeking clarification that would ensure that the aggregate limit accumulated was reduced each time Committee approval was received.

Mr. Stec asked if the resolution in question pertained only to Sewer Projects and Mr. Lamy replied affirmatively. He added that a separate resolution of this nature had been approved for Highway and Bridge Projects, which he would request be changed for clarification also. Mr. Stec questioned whether the limits associated with the resolutions should be changed to a percentage of the total Project cost to more appropriately address the change orders. Mr. Lamy stated that the procedure and limits in place had worked fine so far and he did not recommend changing them, just the verbiage of the resolution.

Mr. Goodspeed noted that he had reviewed Resolution No. 315 of 2001 as it pertained to limitations and allowances in connection with change orders for Sewer Projects and said that the resolution was not clear and could be interpreted in both manners.

Motion was made by Mr. Goodspeed, seconded by Mr. Bentley and carried unanimously to amend Resolution No. 315 of 2001, concerning Sewer Projects, and Resolution No. 496 of 2003, concerning Highway, Bridge and Building Projects, with input from Mr. Lamy to clarify that the Superintendent of Public Works was authorized to approve change orders up to \$10,000 with an aggregate limit of \$50,000 as outlined above and the necessary resolutions were authorized for the August 15<sup>th</sup> Board meeting. *Copies of both requests are on file with the minutes.*

Paul Butler, Director of the Parks, Recreation & Railroad Department, entered the meeting at 11:25 a.m.

As there was no further DPW business to come before the Committee, privilege of the floor was extended to Mr. Butler, who distributed copies of the Parks, Recreation & Railroad agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Mr. Butler apprised that item no. 1 on the agenda pertained to the sale and removal of the Biondi Building located

at 4113 Rockwell Street in the Town of Hadley. He advised that no bids had been received for the sale and removal of the building and added that he was requesting to rescind Resolution No. 436 of 2008 which had authorized the sale and removal of the building to the highest bidder.

Motion was made by Mr. Tessier, seconded by Mr. Merlino and carried unanimously to rescind Resolution No. 436 of 2008, which had authorized awarding the contract to the highest bidder for the sale and removal of the Biondi Building located at 4113 Rockwell Street in the Town of Hadley. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the August 15, 2008 Board meeting.*

Mr. Butler stated that the second part of item no. 1 was a request to ratify the actions of the Superintendent of the Department of Public Works and the Director of the Parks, Recreation & Railroad Department in recommending the acceptance of the lowest responsible bid for the demolition and removal of the Biondi Building and to authorize the Chairman of the Board to execute an agreement with the lowest responsible bidder. He said that the bid opening would be held on August 4, 2008 and the construction schedule did not allow for waiting for the Board meeting for approval. He stated that the building was in the way of the proposed plans for the railroad station and would need to be removed before proceeding.

Motion was made by Mr. Bentley and seconded by Mr. Merlino to ratify the actions of the Superintendent of the Department of Public Works and the Director of the Parks, Recreation & Railroad Department in recommending the acceptance of the lowest responsible bid for demolition and removal of the Biondi Building and to authorize the Chairman of the Board to execute an agreement with the lowest responsible bidder.

Mr. Belden questioned if funds were available within the budget to cover the expense of demolition and removal and Mr. Butler responded that no funds had been earmarked for this purpose. Mr. Lamy stated that Mr. Tennyson had spoken with Clough Harbour & Associates pertaining to an estimate and that he had been advised that the cost would be approximately \$20,000 to \$30,000. Mr. Champagne suggested that the issue be referred to the Finance Committee to determine a source of funding. Mr. Belden stated that if the Committee approved the acceptance of the lowest bidder, it would still need to be referred to the Finance Committee to determine a source of funding. Joan Sady, Clerk of the Board, responded that it could be referred to the Finance Committee next month after the contract had been awarded. Mr. Tennyson noted that the bid opening would be August 4, 2008 and would be evaluated and awarded on August 5, 2008. He added that the contract would not be completed prior to the August 6, 2008 Finance Committee meeting. Mr. Belden stated that the County should determine a source of funding prior to awarding the contract.

Stephen Lynch, Intercounty Solid Waste Coordinator, entered the meeting at 11:30 a.m.

Mr. Geraghty questioned if the contract would allow the bidder to take possession of the building and its assets and Mr. Tennyson responded that the lowest bidder would demolish and remove the building and added that any salvageable portion of the building would be their property. He added that a rough estimate of the value of the steel in the building was approximately \$5,000 to \$10,000.

Mr. Belden called the question and the motion was carried unanimously to ratify the actions of the Superintendent of the Department of Public Works and the Director of the Parks, Recreation & Railroad Department in recommending the acceptance of the lowest responsible bid for demolition and removal of the Biondi Building and to authorize the Chairman of the Board to execute an agreement with the lowest responsible bidder. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the August 15, 2008 Board*

meeting.

Mrs. Sady questioned if there were funds available within the budget that could be transferred for this purpose and Mr. Butler replied in the negative. Mr. Geraghty advised that a Department was not supposed to start a project unless they had the funds to pay for it. He added that funds should be transferred from within the Department's budget and if it became necessary at a later date, funds could be transferred from the Contingency Fund into the Parks, Recreation & Railroad Department budget to cover any shortfall.

Discussion ensued.

Mr. Lamy questioned if there were funds available in the Salaries Code that could be used, would a resolution be necessary to authorize the transfer. Mrs. Sady responded affirmatively and added that the transfer could be approved at this meeting. Mr. Tennyson stated that if the Committee approved a transfer of up to \$30,000, it would cover the cost of the contract. Mr. Butler apprised that he had two vacant Laborer positions and he used those funds for overtime purposes. He added that if the vacant positions were removed from the budget he would not have funds to cover overtime.

Motion was made by Mr. Champagne, seconded by Mr. Goodspeed and carried unanimously to authorize a transfer of funds within the Parks, Recreation & Railroad Department budget, in an amount not to exceed \$30,000, and to forward same to the Finance Committee.

Mr. Butler stated that item no. 2 on the agenda was a request to amend Resolution No. 491 of 2008, which authorized Supplemental Agreement No. 4 with Clough, Harbour & Associates. He added that the contract amount had been reduced from \$68,500 to \$52,500, for construction inspection and supervision services.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to amend Resolution No. 491 of 2008, which authorized Supplemental Agreement No. 4 with Clough Harbour & Associates, reducing the contract amount from \$68,500 to \$52,500, as a result of a reduction in the scope of services. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the August 15, 2008 Board meeting.*

Mr. Butler said that item no. 3 on the agenda pertained to the Adirondack/Glens Falls Transportation Council (A/GFTC) "Make the Connection Program" Grant funding which had been awarded for materials for improvements to the Warren County Bikeway. He requested to amend the 2008 County budget to increase estimated revenues and appropriations, in the amount of \$55,000, to reflect receipt of the funds. He added that the Department of Transportation's approval for the proposed improvements was imminent. Mr. Belden questioned if the local match could be accomplished using local force account labor and Mr. Butler replied affirmatively and added that they had matched the grant funding in excess of 20%. Mr. Lamy asked if there was a time frame in which the work had to be completed and Mr. Butler responded that there was no time frame; however, he added, he planned to complete the project in late summer or early fall. Mr. Lamy questioned if the project involved paving and Mr. Butler responded that the project involved paving, milling and shoulder improvements.

Motion was made by Mr. Tessier, seconded by Mr. Merlino and carried unanimously to amend the 2008 County budget, as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. Butler apprised that item no. 4 on the agenda pertained to a request from the Adirondack Horseman's

Association, a non-profit organization, to decrease the amount that was charged for use of the Warren County Fairgrounds, due to the fact that they would only need use of the bathrooms and arenas. He added that the permit would need to be changed in order to allow the decrease, as the current permit was not formatted in a way that allowed exceptions. He stated that the Adirondack Horseman's Association would hold five events in 2008 and eleven in 2009. He noted that the fee for use of the Warren County Fairgrounds was currently \$150 and for use of the bathrooms and the pavilion only the fee was \$25.

Motion was made by Mr. Goodspeed, seconded by Mr. Taylor and carried unanimously to deny the Adirondack Horseman's Association's request for a reduction in the amount charged for use of the Warren County Fairgrounds.

Mr. Butler noted that item no. 5 on the agenda pertained to the \$1 million that New York State had 'swept' from the New York State Snowmobile Association (NYSSA) budget and added that two articles pertaining to the funds had been included in the agenda packet. He stated that New York State had returned the \$1 million to NYSSA's budget and he added, that the Office of Parks, Recreation and Historic Preservation (OPRHP) had put procedures in place that would ensure that funds paid to the State for snowmobile registration fees would be spent on trail maintenance and program related activities. He said that additional grant funding from the State for local snowmobile trail maintenance would become available. Mr. Merlino apprised that this had been accomplished due to counties, such as Warren County, that had passed resolutions requesting that the funds be returned, as well as the fact that the State had received over 15,000 letters and emails from snowmobilers.

Mr. Butler stated that the last item on the agenda was to clear up some of the pending items. He said that Pending Item No. 1, which referred to the Biondi building could be deleted, as the Committee had addressed that item earlier in the meeting. He apprised that Pending Item no. 2, which pertained to negotiations with Open Space Institute for use of the Kellogg Property was ongoing. He said that meetings were proceeding and they were meeting with consultants. Mr. Goodspeed interjected that the Elan Group would make a presentation in the Town of Johnsbury on July 29, 2008 and to the Johnsbury Town Board on August 5, 2008, pertaining to their recommendations for the best use for the project. He added that he hoped to have a Town Board Resolution in support of their findings and then re-initiate the negotiation process.

Mr. Butler advised that Pending Item No. 3 pertained to the proposed budget for a covered railroad platform at the Stony Creek Station (1,000 Acres Resort). He said that he had contacted the APA (Adirondack Park Agency) and had informed them that the County would like to construct a 30' by 15' covered pavilion that would match the other construction on the site. He added that all parties were in agreement with the current plans except the APA. He explained that the structure would be in a resource management designated area and was an un-permitted use. He further explained that the location of the structure adjacent to the Hudson River and the park were part of the reason for the designation by the APA. Chairman Monroe suggested that a jurisdictional inquiry should be filed. Mr. Payne stated that there was concern over who would build the covered platform at the Stony Creek Station, where it would be built and the restrictions of the APA. Mr. Lamy stated that the covered platform could be designed in-house and constructed using County labor on railroad right-of way property.

Discussion ensued.

Mr. Butler apprised that he was going to submit a jurisdictional inquiry for commercial use and public use but had been informed that he should not bother because it was not permitted. Mr. Lamy suggested that they forgo the jurisdictional inquiry and just file for a permit. Mr. Thomas suggested that pictures of the site should be taken to display what was onsite. Mr. Goodspeed noted that the railroad track predated the APA by approximately 110

years.

Mr. Butler said that Pending Item No. 5 pertained to the Antone Mountain Road crossing signal, which had been tabled pending the Town of Corinth's operator contract with the Upper Hudson River Railroad (UHRR). He added that the Town of Corinth was working with the UHRR to work in-house as their railroad operator. He stated that they did not need the \$7,500 that had previously been committed by the County for the project. He added that an inter-municipal license would be necessary to work on County property.

The Parks, Recreation & Railroad portion of the meeting concluded at 11:48 a.m.

Privilege of the floor was extended to Stephen Lynch, Intercounty Solid Waste Coordinator, who distributed copies of the Solid Waste & Recycling agenda to the Committee members. *A copy of the agenda is on file with the minutes.*

Mr. Lynch apprised that the first item on the agenda was to discuss the sale of the Hartford Landfill. Mr. Lynch noted that the Request for Expression of Interest had been drafted by Paul Dusek, County Attorney, and had been advertised in the trade journal, *Waste News*, as well as the official newspapers of Warren County. He added that eight or nine firms had expressed interest in the property. He said that the property could be used for residential, commercial or industrial purposes. He explained that once the Intercounty Solid Waste Coordinating Committee (ISWCC) had discussions with the interested parties, the County Attorney would initiate the formal procurement process. Mr. Tessier questioned if all of the interested parties were waste haulers and Mr. Lynch replied negatively and added that at least two of the calls had come from the advertisement in the *New York Times* Real Estate Section.

Mr. Lynch stated that the next item on the agenda pertained to the proposed Warren and Washington Counties Solid Waste Management Plan update. He distributed a document to the Committee members which outlined how the ISWCC in conjunction with both counties would update the plan; a copy of the document is on file with the minutes. Chairman Monroe noted that they needed to plan for what would be done when the contract was up with Wheelabrator. He said that if nothing was done, the County would be at the mercy of Wheelabrator; however, he added, if they worked on a plan for the future they could generate other options. He advised that if Warren and Washington Counties negotiated the next contract jointly, it could result in a lower price. He added that now was a good time to move forward due to the revenue on the electricity being higher than was anticipated.

Mr. Lynch noted that he was present on behalf of the Intercounty Solid Waste Coordinating Committee. He added that a lot of municipalities in the northeast were facing their end-of-term with resource recovery facilities and the ISWCC was involved in helping those municipalities to determine the best possible deal at the end of their contracts. He explained that if the contract was allowed to expire, Wheelabrator would buy the plant with a final installment payment in 2011. He said that although Wheelabrator's cost may decrease once the debt was paid, waste management companies charged what the market would bear. He added that the price that would be offered for waste management services would be determined by the options that were available. He said that once the contract with Wheelabrator was terminated, the County could take advantage of a lower cost option; however, he added, it would require some planning. He stated that they needed to look at the recycling options for both counties, as well.

He said that the ISWCC had been discussing the need for planning for the end-of-term and had done a good job over the years of facilitating the two counties working together on issues. He stated that they had saved \$8 to \$10 million so far with this initiative and it made sense to continue to approach these planning issues on an intercounty basis. He apprised that if they lowered the tip fees by \$10 per ton once the contract with Wheelabrator was

terminated, the savings would be \$300,000 to \$400,000 per year. He stated that the problem was that neither county wanted to cover the cost of updating the Solid Waste Management Plan that would create competition among the waste management companies. He explained that the restructuring and refinancing of the Burn Plant had decreased the cost by \$2.5 million. He added that due to the decrease in the cost of electricity and the ability to hold the tip fees constant, there was an additional savings of \$1.4 million from the Burn Plant for 2008. He noted that Warren County had budgeted \$3.2 million for 2008 and the actual cost would be approximately \$2.2 million and Washington County had budgeted \$1.5 million and the actual cost would be approximately \$1.1 million. He suggested this created an opportunity for each county to take a portion of the amount saved and fund a three to four year planning initiative. He added that the fund should be between \$150,000 to \$200,000 for this purpose and the ISWCC could use the funds to set a specific plan for future solid waste and recycling management. He explained that the Committee would not be authorizing the funds to be expended, they would merely be authorizing the creation of the fund to be held by the trustee to be drawn on by both counties for planning purposes. He expressed that some of the planning could be done in-house by the Superintendents of the Public Works Departments and legal issues could be worked on by the County Attorneys. He remarked that if the ISWCC made an effort to create competition, the result would be a lower cost, even if the contract remained with Wheelabrator.

Mr. Champagne questioned if creating this type of fund was standard practice and Mr. Lynch responded that standard practice would be for each of the counties to budget for planning purposes. Chairman Monroe related that Paul Dusek, County Attorney, had advised that if the planning was done through the ISWCC, the County could continue with the planning without the need for a Request for Proposal and could continue to utilize the services of Mr. Lynch and Bob Morris, the Attorney for the ISWCC. He added that Mr. Dusek had said that he was unsure if they would be able to continue to use the same engineers but would research the issue. Mr. Lynch responded that the goal was to keep the same team.

Chairman Monroe apprised that he had not discussed with Mr. Dusek the proposal of allowing a trustee to put a portion of the savings into a fund for the purpose of planning. Mr. Lynch replied that Mr. Morris was researching the details of how the fund would work. He said that the trustee received revenue from tip fees and the sale of electricity and out of those funds the trustee paid the Burn Plant expenses. He added that any remaining revenue at the end of the month was returned to the counties. He explained that the idea was that each county would direct the trustee to deposit \$75,000 to \$100,000 into an interest bearing account on their behalf for planning purposes as authorized by the ISWCC. He noted that the Department of Environmental Conservation mandated the Solid Waste Management Plan and the current plan was over 20 years old and was in need of updating.

Mr. Lynch reported that the ISWCC engineers were not professional engineers and therefore, the billing rate was about half the amount it would be for professional engineers. He said that some counties hired a consulting engineer to develop their Solid Waste Management Plan at a cost of \$300,000 to \$500,000. He added that the ISWCC could develop the plan for \$150,000 to \$200,000 because 80% of the work did not need to be done by professional engineers. Mr. Lamy apprised that part of the plan would require professional engineers and he asked if the ISWCC had access to professional engineers. Mr. Lynch responded that the ISWCC had issued Request for Proposals at the time that the Committee had been formed, for consulting engineers and financial and economic solid waste advisors. Mr. Geraghty suggested that they should research the possibility of applying for a shared services grant for updating the Solid Waste Management Plan. Mr. Lynch responded that they had applied for a grant for Warren County for Smart Growth Adirondack and added that the ISWCC could apply for grant funding under shared services.

Mr. Tessier stated that there was no doubt that the Solid Waste Management Plan was in need of updating and he added that the Committee needed to authorize the ISWCC to proceed with the planning. Mr. Belden remarked

that the Recycling Plan should also be updated and Chairman Monroe agreed.

Discussion ensued.

Mr. Lynch stated that the first step was to authorize the trustee to create the fund and added that they were not at the point where they needed to discuss the expenditure of the funds. He said that step two would be the development of the plan. Chairman Monroe commented that he felt Mr. Dusek should be consulted prior to creating the fund. He suggested that the Committee authorize the fund, subject to approval by the County Attorney.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to authorize the trustee of the Intercounty Solid Waste Coordinating Committee to deposit \$75,000 from each County into an interest bearing account for development of a Solid Waste Management Plan, to plan for the end-of-term with Wheelabrator, contingent on approval by the County Attorney.

Chairman Monroe reported that he had discussed with Mr. Dusek, the right of first refusal on the sale of the Burn Plant and had been informed that the right of first refusal would only apply if Wheelabrator did not exercise their option to buy the Burn Plant.

This concluded the Solid Waste & Recycling portion of the meeting. Mrs. Sady advised that the Committee would need to reconvene the Parks, Recreation & Railroad portion of the meeting due to the fact that an agenda item had been inadvertently missed.

Mr. Butler stated that they had skipped Pending Item No. 4, which pertained to finding additional funding streams for railway improvements. He said that he had received additional information on available funds from the Department of Transportation Freight Bureau. He added that there were two funding sources, a grant program and a bond program. He said that the bond program was a 10% matching fund program that required maintenance and upkeep of the track for 30 years. He added that the grant program did not require matching funds but required maintenance and upkeep of the track for 10 years. He advised that the applications would be available on the website soon and the deadline for applications was September 30, 2008. It was the consensus of the Committee to take no action on this item at this time.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Champagne and seconded by Mr. Merlino, Mr. Belden adjourned the meeting at 12:19 p.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist  
Charlene DiResta, Sr. Legislative Office Specialist