

WARREN COUNTY BOARD OF SUPERVISORS

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

DATE: DECEMBER 2, 2008

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
BENTLEY
TESSIER
STEC
MERLINO
CHAMPAGNE
TAYLOR

OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
JEFFERY TENNYSON, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
PAUL BUTLER, DIRECTOR OF PARKS, RECREATION & RAILROAD
FREDERICK MONROE, CHAIRMAN
PAUL DUSEK, COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS GERAGHTY
SIMMES
THOMAS
WAYNE LAMOTHE, DEPUTY DIRECTOR OF PLANNING & COMMUNITY
DEVELOPMENT
JONATHAN ALEXANDER - *THE ADIRONDACK JOURNAL*
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISOR GOODSPEED

VACANT: TOWN OF THURMAN

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

Motion was made by Mr. Bentley, seconded by Mr. Merlino and carried unanimously to approve the minutes from the October 27th Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to William Lamy, Superintendent of Public Works, who distributed copies of the DPW agenda to the Committee members. *A copy of the DPW agenda is also on file with the minutes.*

Commencing the agenda review with the New Business portion, Mr. Lamy directed the Committee members to page 2 which reflected a copy of the letter received from a resident commending the efforts of Pat Malone, Paving Crew Foreman, when working on a paving project near the resident's home. Mr. Lamy noted that Mr. Malone was indeed an industrious worker, as the letter suggested, and he advised that Mr. Malone would be missed when he retired in January of 2009.

Mr. Lamy advised that page 3 of the agenda included a series of pictures of a vehicle that had been reconditioned by DPW staff following an accident in which the vehicle had rolled down an embankment, leaving the vehicle a total loss. He explained that an insurance settlement had been received for the vehicle and rather than selling the truck for scrap value, with the Committee's approval, they had chosen to rehabilitate the vehicle because it was fairly new and had very minimal mileage. Mr. Lamy advised that approximately \$3,000 had been invested to return the truck to being a serviceable vehicle which now had a compressor mounted on it and was being used as a tire truck. He said that this was an example of the capabilities of the DPW Shop personnel, as well as how County funds had been saved by restoring the vehicle that would have been otherwise lost and he wanted to pass the accolades on to the DPW Shop staff.

Proceeding, Mr. Lamy noted that the next agenda item consisted of an informational note with regards to construction inspection services needed at the Airport. He explained that in connection with an ongoing project to install PAPI (Precision Approach Path Indicators) at the Airport, additional construction inspection services had

become necessary, for which funding was not available within the project's grant funding. Mr. Lamy stated that Kevin Hajos, Senior Civil Engineer, who joined the DPW staff during the past summer, had considerable Airport experience in the field of construction and had been able to provide the construction inspection services at no additional cost to the County, saving \$7,000 to \$10,000 which would have been spent if they had contracted with another firm.

Agenda page 5, Mr. Lamy announced, included a copy of the letter received from the Town of Queensbury advising of their desire to serve as lead agency in connection with plans for the Angio Dynamics building project. He said he recommended that the Town be notified that the County had no issue with their assuming lead agency status in connection with the project; however, he said, he had forwarded the building project specifications to Don DeGraw, Airport Manager, for his review to be sure that the height of the building being constructed would have no impact on Airport operations.

Motion was made by Mr. Merlino, seconded by Mr. Champagne and carried unanimously to authorize the Town of Queensbury to seek lead agency status in connection with the Angio Dynamics building project and the necessary resolution was authorized for the December 19th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy directed the Committee to page 6 of the agenda which reflected several requests for transfers of funds, which he outlined as follows:

<u>From Code:</u>	<u>Title:</u>	<u>To Code:</u>	<u>Title:</u>	<u>Amount:</u>
A.7111 120	Up Yonda Farm - Salaries Overtime	A.7111 110	Up Yonda Farm - Salaries Regular	\$24,000
D.5110 110	County Road - Maintenance of Roads - Salaries - Regular	D.5110 120	County Road - Maintenance of Roads - Salaries - Overtime	5,000
D.5148 110	County Road - Services to Other Governments - Salaries - Regular	D.5148 120	County Road - Services to Other Governments - Salaries - Overtime	14,000
D.9060 860	County Road - Hospitalization - Hospitalization	D.5142 110	County Roads - Snow Removal - County - Salaries - Regular	25,000
DM9060 860	Road Machinery - Machinery - Hospitalization	DM5130 441	Road Machinery - Machinery Auto - Supplies & Repair	10,000

Mr. Lamy explained that the transfers were comprised of transactions necessary to balance the accounts for 2008, many of which were salary codes. He added that he hoped the transfers would cover any expenses for the remainder of the year.

Referring to the transfers from the Hospitalization Codes, D.9060 860 and DM9060 860, Mr. Champagne questioned if funding allocated had been overestimated in 2008 and Mr. Lamy replied that the additional funds were available for transfer as the actual hospitalization rates for 2008 were lower than what had been estimated when the Budget was prepared. Mr. Lamy added that staff reductions had also contributed to the amount of funds remaining in the code.

Mr. Belden questioned the need for transfers to cover overtime salaries and he asked if higher overtime costs had been incurred for paving projects in 2008 than had been anticipated. Mr. Lamy replied in the negative, advising that they had actually spent less money in the paving operation for 2008 than they had in 2007, as less paving had been done for the Towns. Mr. Belden then asked if all of the Towns had paid the County for the paving services received and Mr. Lamy advised that he was unsure if they had received all of the payments due to them, but noted

that he would research the matter further.

Motion was made by Mr. Tessier, seconded by Mr. Merlino and carried unanimously to approve the request for transfer of funds as outlined above and refer same to the Finance Committee. *A copy of the request for transfer of funds is on file with the minutes.*

Mr. Lamy announced that the next several agenda items pertained to requests for new contracts and amendments to grant agreements which he asked Jeffrey Tennyson, Deputy Superintendent of Public Works, to outline for the Committee.

Mr. Tennyson advised that agenda page 7 included a request for a new contract with Hour Electric Co., Inc. for periodic electrical repair, installation and upgrade services in County buildings. He noted that agenda page 8 reflected a letter to Julie Pacyna, Purchasing Agent, stating his recommendation that the contract be awarded to Hour Electric Co., Inc., while page 9 consisted of a spreadsheet listing the bid proposals received for the electrical services. Mr. Tennyson said that Hour Electric Co., Inc. had submitted the lowest bid proposal that met all of the qualifications specified in the bid documents. He added that the County had held a contract for such electrical services in the past but had failed to renew it, leading to a backlog of electrical projects requiring attention which Hour Electric Co., Inc. would assist in catching up on. Mr. Lamy interjected that Hour Electric Co., Inc. was the contractor used during the emergency repairs to the electrical service in the Municipal Center Building following the fire that occurred in March of 2007; he advised that Hour Electric Co., Inc. would be doing the remainder of the work necessary at the Municipal Center Building as part of the contract awarded.

Mr. Belden questioned when the electrical work in the Municipal Center Building would be completed and Mr. Tennyson advised that Clark Patterson Lee had been hired to complete the design work for the electrical system that had been abandoned by Rist Frost Associates during the prior Spring season. He said that the design work was underway and would continue through the winter months, hopefully to be completed and implemented in the Spring of 2009, which was their goal. Mr. Tennyson noted that the work had not been planned during the main heating season as they risked prolonged shutdown of the system which would cause problems in heating the building. He advised that the actual electrical work would take place over a holiday weekend when there was no staff in the Municipal Center Building. Mr. Tennyson stated that once the design was finished a more definitive estimate as to when the work would be completed could be provided.

Mr. Belden noted that the repairs to the electrical system in the Municipal Center Building were very important because if another issue arose they might be forced to close the building once again. Mr. Lamy replied that this was one of the risks they faced and he noted that, unfortunately, as per the Municipal Purchasing Policy, once the emergency repairs were completed and the Building was back in service the remainder of the repairs were no longer considered to be "emergency" and that a bid process was required for the remaining work. He advised that if another emergency issue was to occur, they would be within their rights to contact Hour Electric Co., Inc. once again to address those issues and make any necessary emergency repairs. Mr. Tennyson apprised that in the meantime, they had Buildings and Grounds staff monitoring temperatures on the entire electrical panel to try and predict any problems that might lead to another emergency event.

Motion was made by Mr. Bentley, seconded by Mr. Taylor and carried unanimously to approve the request for a new contact with Hour Electric Co., Inc. for periodic electrical repair, installation and upgrade services in County buildings and the necessary resolution was authorized for the December 19th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson apprised that page 10 of the agenda reflected a request for a new contract for permanent closure of four out-of-service petroleum tanks; the contract would be awarded to the lowest responsible bidder subsequent to the December 16th bid opening, he added. Mr. Tennyson explained that three of the tanks to be removed were located at the Airport while the fourth was in place at the DPW Shop located in the Town of North Creek. He stated that although County manpower would be used to do as much work as possible for the tank removal, a contract with a firm holding the proper OSHA (Occupational Safety and Health Administration) ratings and qualifications was necessary to allow for the tanks to be cut, cleaned and disposed of. He added that the 1,000 gallon kerosene tank to be removed from the Airport would also require six soil samples and one water sample to be taken as per NYSDEC (New York State Department of Environmental Conservation) requirements. Mr. Tennyson said that the removal of the tanks specified had been deemed necessary in order to revise issues cited by NYSDEC during prior inspections.

Motion was made by Mr. Champagne and seconded by Mr. Bentley to approve the request for a new contract for permanent closure of four out-of-service petroleum tanks with the contractor to be determined subsequent to the December 16th bid openings.

Mr. Belden asked if the tank removal work would be completed in 2008 and Mr. Tennyson replied in the negative, advising that it would not be completed until 2009. When Mr. Belden questioned whether funding for the project was available within the 2009 Budget, Mr. Tennyson advised that currently funding had not been dedicated for the tank closures and that a source of funding would have to be determined. He advised that once the services of a contractor had been employed, they would be able to determine a firm cost for the tank removal, at which point they would address the Committee once again in order to seek out the necessary funds. Mr. Tennyson added that he felt there were areas within the 2009 Budget from which the funding could be transferred.

Mr. Geraghty pointed out that one of the tanks to be removed at the Airport had only 25 gallon capacity and the tank at the North Creek DPW Shop was only 10 gallons. He asked if these tanks could be removed by County personnel without having to contract with an outside firm and Mr. Lamy replied in the negative. Mr. Lamy explained that NYSDEC regulations required that a closure report be filed when the tanks were removed which could not be completed without the assistance of an OSHA certified contractor as soil samples were required, as well as tank inspections. Mr. Tennyson added that although they were aware of the process necessary to complete the tank removal, the County was not properly certified by OSHA to do so. Mr. Geraghty questioned whether all of the tanks to be removed were underground and Mr. Tennyson replied in the negative, advising that only the 1,000 gallon kerosene tank located at the Airport required excavation and that the other three were above ground. Mr. Lamy affirmed that DPW staff would be used to do as much work as possible in connection with the project in order to save County dollars; however, he noted, they had to follow NYSDEC rules and regulations which required the services of an OSHA contractor.

Mr. Stec entered the meeting at 9:49 a.m.

Mr. Belden asked if the appropriate cost information with regard to the project would be available for the January Committee meeting and Mr. Tennyson replied affirmatively.

Mr. Belden called the question and the motion was carried unanimously to approve the request as outlined above and authorizing the necessary resolution for the December 19th Board meeting. *A copy of the request is on file with the minutes.*

Resuming the agenda review, Mr. Tennyson directed the Committee to agenda page 12 which included a request for a new contract for rehabilitation of the Peaceful Valley Road Bridge over Baker Brook with the contractor to be determined subsequent to the December 4th bid opening. He said that although he had initially thought that a bond was going to be secured to fund the bridge rehabilitation, he had been notified that \$250,000 was reserved in the 2008 Budget for bridge rehabilitation. Hal Payne, Commissioner of Administrative & Fiscal Services, said that he was unsure if the funding had actually been reserved and he advised that the Committee should continue on in the agenda review, allowing him the opportunity to contact the Treasurer's Office to determine if the funding was in place.

Mr. Payne left the meeting at 9:52 a.m.

Mr. Tennyson continued on to the next agenda item which began on page 15 in the form of a request for a new contract for fire suppression system inspection and services at County fueling sites with the contractor to be determined subsequent to the December 16th bid opening. He apprised that these services were currently received through a contract with Northeast Petroleum which was to expire on December 31, 2008.

Mr. Belden asked if these services could be obtained through the Fire Prevention and Building Code Enforcement Office and Mr. Lamy replied in the negative.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve the request for a new contract for fire suppression system inspection and services with the contractor to be determined subsequent to the December 16th bid opening and the necessary resolution was authorized for the December 19th Board meeting. *A copy of the request is on file with the minutes.*

The next four agenda items, Mr. Tennyson advised, pertained to amending the NYSDOT (New York State Department of Transportation) grant agreements for existing Capital Projects. He said that the first of these items was a request to amend the NYSDOT grant application to include Supplemental Master Agreement #4 for the Queensbury Avenue Improvement Project, H212.9550 280, in the amount of \$55,000. Mr. Lamy reminded the Committee that in the past the County had filed a lawsuit against a contractor, Kilby Bros., subsequent to their installing waterlines for the Town of Queensbury which had incurred additional costs to the County. He said that through litigation the County had sought to recoup the funds expended; however, he noted, Kilby Bros. had filed for bankruptcy before the funds were returned. Mr. Lamy apprised that NYSDOT had advised that if it became apparent that the County would not be able to collect the funds, they could submit a grant application to the State for reimbursement and it was likely that the State would forward reimbursement. Therefore, he said, a resolution was required to amend the existing grant application to request the additional \$55,000.

Mr. Taylor questioned if the County was responsible for a Local Share of Marchiselli funds reimbursed by the State and Mr. Lamy apprised that 80% of project costs were funded Federally, 15% was received from the State in the form of Marchiselli funding, and the remaining 5% was the County's Local Share. He said that there had been cases with other Municipalities wherein the State had determined that the Marchiselli funding would not cover some of the engineering costs, although this had not occurred for the County as of yet. Mr. Lamy added that as the amount of Marchiselli funding increased, the Local Share decreased; however, he noted, Marchiselli funding was not always readily available when grant applications were submitted. Mr. Tennyson interjected that in cases when Marchiselli funding was not available, then the County would pay 20% of project costs and the State reimbursed the County as Marchiselli funding became available.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve the request to amend the existing grant application for Supplemental Master Agreement #4 for the Queensbury Avenue Improvement Project in the amount of \$55,000 and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised that agenda page 23 included a request to amend the grant application for Supplemental Master Agreement #5 for the Starbuckville and Chester Creek Bridges in the amount of \$38,100 for additional contractor and consultant fees. He noted that once the additional grant funding was received, the Project would be closed.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve the request to amend the existing grant application as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Agenda page 27, Mr. Tennyson stated, reflected a request to amend the existing grant application for Supplemental Master Agreement #3 for the Grist Mill Bridge Engineering Phase in the amount of \$19,380.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve the request to amend the existing grant application as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson explained that agenda page 29 consisted of a request to amend the existing grant application for Supplemental Master Agreement #3 for the Tannery Road Bridge Project in the amount of \$26,520 for additional engineering phase work.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve the request to amend the existing grant application as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Mr. Payne re-entered the meeting at 10:00 a.m.

Continuing, Mr. Tennyson apprised that agenda pages 31 through 35 included several requests to increase Capital Projects, which he outlined as follows:

- 1) Capital Project No. H277.9550 280, Beach Road Reconstruction, to be increased in the amount of \$70,000 with the source of funding to be A.9950 910, Transfers - Capital Projects, to support the Local Share of the Project;
- 2) Capital Project No. H260.9550 280, Alder Brook Road Bridge Replacement, to be increased in the amount of \$4,300 with the source of funding to be A.9950 910, Transfers - Capital Projects, to support the Local Share of the Project;
- 3) Capital Project No. H166.9550 280, Lake George Basin Sewer, to be increased in the amount of \$135,000, with the source of funding to be A.9950 910, Transfers - Capital Projects, to support the Local Share of the Project. *Note: Subsequent to the meeting Mr. Tennyson amended the amount of the increase to \$110,000;*
- 4) Capital Project No. H259.9550 280, Grist Mill Bridge Replacement, to be increased in the amount of \$26,504 with the source of funding to be Supplemental Agreement #3 \$15,504, to represent the

- 5) Federal Share, and A.9950 910, Transfers - Capital Projects, \$11,000 to represent the Local Share; Capital Project No. H258.9550 280, Tannery Road Bridge Replacement, to be increased in the amount of \$45,216 with the source of funding to be Supplemental Agreement #3 \$21,216, to represent the Federal Share, \$1,000 State Marchiselli Funds and A.9950 910, Transfers - Capital Projects, \$23,000 to represent the Local Share.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve all five requests to increase existing Capital Projects as outlined above and refer same to the Finance Committee. *Copies of all five requests are on file with the minutes.*

Mr. Tennyson directed the Committee members to agenda page 36 which included a request to establish Capital Project H293.9550 280, County Center Electrical Panel Replacement, in the amount of \$120,000. He explained that although the funding for the Project was already included in the 2009 Budget, a Capital Project needed to be established to transfer the funds.

Motion was made by Mr. Stec and seconded by Mr. Champagne to approve the request to establish the Capital Project as outlined above.

Mr. Stec questioned if the funding included in the Capital Project would complete the electrical repairs and Mr. Tennyson replied affirmatively. He said that the repairs would be a permanent fix for the temporary patches implemented subsequent to the Municipal Center fire and would bring the electrical system up to code.

Mr. Belden called the question and the motion was carried unanimously to approve the request and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Returning to the issue of funding the rehabilitation of the Peaceful Valley Road Bridge over Baker Brook, Mr. Payne apprised that subsequent to his discussions with the Treasurer's Office, it had been determined that \$232,000 was available in a Bridge Maintenance Reserve fund and that a Capital Project would have to be set up for the Peaceful Valley Road Bridge Project, into which the funds would be transferred for the Project.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to establish Capital Project No. H294.9550 280, Peaceful Valley Road Bridge Rehabilitation, in the amount of \$429,000 and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve the request for a new contract for the rehabilitation of Peaceful Valley Road Bridge with the contractor to be determined subsequent to the December 4th bid opening and the necessary resolution was authorized for the December 19th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy advised that the next agenda item pertained to a request for himself and Mr. Tennyson to attend the NYSCHSA (New York State County Highway Superintendents Association) Winter Highway and Bridge Conference in Albany, NY on January 20 - 22, 2009, to which they would commute daily. He added that if they registered for the Conference before December 19th the fee would be \$185 each, which was \$100 less than the cost would be after this date; some meal costs would be incurred also, he said.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to authorize Messrs. Lamy and

Tennyson to attend the NYSCHSA Winter Highway and Bridge Conference as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. Belden noted that the position previously held by Marshall Stevens, former Airport Manager, on the NYSAC (New York State Association of Counties) Public Safety Committee remained vacant and that a representative should be named to fill it. Mr. Lamy replied that he would discuss the matter with Mr. Tennyson and Don DeGraw, Airport Manger, to determine who would be most appropriate to fill the vacancy; however, he noted, whomever was appointed to fill the vacancy would be required to travel to attend NYSAC Committee meetings as necessary, which would incur additional costs to the County.

Moving on, Mr. Lamy advised that the next agenda item pertained to a contract for tree removal services held with Green Thumb Nursery which was being extended for a one-year term, as was allowed for within the existing contract terms. He stated that Green Thumb Nursery had done an excellent job on behalf of the County for reasonable pricing. Mr. Lamy said that no Committee action was necessary in connection with this matter and that it had been provided for informational purposes only.

Mr. Lamy stated that although a notation had not been included in the agenda with regards to the matter, he wanted to make the Committee aware that bids were still being received to complete the purchases authorized by the Committee through the Capital Project for DPW Equipment Purchases. He noted that all of the equipment listed in the Capital Project would be purchased through the bid process except for the lift for the DPW Shop. Mr. Lamy advised that, as per Mrs. Pacyna, the lift could be purchased through the Western States Contracting Alliance because it could not be purchased under State contract pricing, if the Committee was in agreement; he added that funds were available within the Capital Project to purchase the lift. Mr. Lamy stated that once the outstanding bids for the remainder of the equipment to be purchased were received, they would know how much funding was left over after the purchases were complete. He added that he intended to purchase only what equipment had been authorized by the Committee and would not spend any funds other than what was necessary to make those purchases.

Mr. Payne noted that a membership was required to make purchases through the Western Estates Contract Alliance and he asked how much the membership fees were. Mr. Lamy replied that he did not know what the fees were but that he would make the proper contacts to determine this information.

Motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to authorize Mr. Lamy to proceed in purchasing the lift through the Western Estates Contract Alliance, provided that the appropriate amount of funding remained in the Capital Project for Equipment Purchases.

Concluding the review of the New Business portion of the agenda, Mr. Lamy advised that a letter had been received from the State apprising of the Americade organizers' request to close the north end of Beach Road during Americade week. He explained that although the portion of Beach Road in question was owned by the State, they were requesting a written confirmation from the County stating that they had no objection to the closure of that portion of the road during the event. Mr. Lamy said that the south end of Beach Road would remain open and would serve two-lane traffic while the northern portion was closed. He concluded by stating his assumption that Paul Dusek, County Attorney, would be asked to draft the letter which would be signed by the Chairman of the Board and then forwarded on to the State. Mr. Tessier interjected that a similar request from the State had been received by the Town of Lake George. Mr. Payne stated that he had received a copy of the letter sought by the State and he would be sure to forward a copy to Mr. Dusek for use in drafting the letter.

Motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to authorize the County Attorney's Office to draft a letter stating that the County was amenable to the State's closing a portion of Beach Road during the 2009 Americade event.

Proceeding to the Old Business portion of the agenda, Mr. Lamy presented the listing of items pending from prior Committee meetings, as included on page 40, which were outlined as follows:

- 1) Mr. Tennyson apprised that a very productive meeting of several parties involved with the Corinth Road Reconstruction Project had been held since the last Committee meeting to discuss the status of the Project, as well as the steps necessary to meet the critical dates imposed in order to avoid a loss of Federal funding. He said that it had been determined that the most challenging part of the Project would be bringing the major utility companies together in an agreement to underground the utility lines along the Project route. In an effort to progress this part of the Project more quickly, Mr. Tennyson advised that the Public Service Commission had been contacted and a meeting was to be scheduled with County and Town of Queensbury representatives to discuss the possibility of their encouraging the utility companies to proceed in the undergrounding of utilities.

Mr. Stec interjected that he had spoken with representatives of both Senator Elizabeth Little and Assemblywoman Teresa Sayward's Offices with respect to the matter and had advised of discussions with the Public Service Commission. He said that although National Grid had lost a lawsuit pursued by the Town of Queensbury and were now being forced to underground their utility lines, Verizon representatives had avoided the entire subject thus far. Mr. Stec added that representatives of National Grid had contacted the Public Service Commission to advise that Verizon had yet to enter into any type of discussions on the matter and the Public Service Commission had subsequently contacted him to set up the meeting Mr. Tennyson referred to. He apprised that a meeting of all interested parties, as well as representatives of the Public Service Commission was to be scheduled in the near future, during which he hoped that an indication on the future of the undergrounding of utilities would be given. Mr. Lamy added that subsequent to this meeting they should have a better idea of whether or not the undergrounding process would take place as necessary prior to the deadline given in order to avoid losing Federal grant funding. He said that if it appeared that the undergrounding would not occur, alternate Project plans would have to be designed which would take approximately six months; therefore, he said, the Board of Supervisors would likely have to make a definitive decision on whether to re-design the Project or continue with the undergrounding at the January Board meeting in order to allow sufficient time for the re-design and to meet the Federal deadlines imposed.

Mr. Stec stated that he was inclined to believe that the utility companies had purposely delayed the undergrounding of utilities in hopes that the Project plans would be altered to keep the utilities above ground rather than risk losing Federal funding for the Project. He added that although this was primarily an issue for the Town of Queensbury, he felt that Mr. Dusek should be present at the upcoming meeting with the Public Service Commission to assist the Board of Supervisors in making decisions with respect to the Project. Chairman Monroe questioned if the Federal grant deadline could be extended and Mr. Lamy replied in the negative;

- 2) Mr. Lamy reminded the Committee that the Budget Performance Report had been presented and discussed at the last Committee meeting. He noted that although there had been shortages in the fuel budget, he had not had to return to the Committee seeking additional funds as they had previously thought he might;

- 3) With respect to NYSDEC request for work at Scaroon Manor, Mr. Lamy advised that they had received an inquiry regarding services at the site; however, he said, the work request had never materialized. He said that there were funds remaining in the Capital Project attached to the location and he questioned whether the account should be closed or transferred to the 2009 Budget to allow for any work requests in that year. Chairman Monroe apprised that the State had approved phase two work in connection with the site and it was likely that work requests would be received in 2009. In light of these facts, he said it was his feeling that the Capital Project should remain open for use in the next year. It was the consensus of the Committee that the Capital Project should remain open as per Chairman Monroe's suggestion;
- 4) Mr. Lamy stated that the transfer of County-owned property on Bay Road had been completed and could be removed from the pending items list;
- 5) Mr. Tennyson apprised that Mr. Dusek continued to correspond with NYSDEC regarding violation citations at the North Creek fuel farm location. He added that the contract for permanent closure of petroleum tanks approved earlier in the meeting would assist in addressing these matters and complying with NYSDEC regulations;
- 6) Mr. Lamy stated that the review of the Stormwater Officer position was currently being reviewed by the County Attorney's Office;
- 7) Mr. Tennyson advised that he had spoken with Earth Tech, the consultants working on the Milton Street Bridge Project, who had noted that their portion of the design was essentially complete; however, he noted, the State had recently voiced concerns with respect to the maintenance and protection of traffic on State Route 418 and a meeting was being scheduled to resolve these issues. Mr. Tennyson said that there were minimal options for traffic in that area which included either changing to one-lane traffic with a light system or temporary lane closures using a flag man to direct traffic. He added that all other facets of the Project design were complete, they were simply waiting for the State to finalize their comments, then the design package could be modified and submitted;
- 8) Regarding a resident caused drainage issue along a County road in the Town of Bolton, Mr. Tennyson advised that the repairs were ongoing. Mrs. Simmes, speaking as Supervisor of the Town of Bolton, interjected that the repairs had been completed. Upon Mrs. Simmes statement, Mr. Lamy asked that this item be removed from the pending items listing;
- 9) Mr. Lamy said that he would speak on the Town contracts for recycling services during the Solid Waste & Recycling portion of the Committee meeting.

Mr. Lamy apprised that he had received a telephone call from Mr. Goodspeed regarding the removal of snow and ice from sidewalks in the Town of North Creek. He said that there was no formal agreement between the County and the Town of North Creek for the provision of these services and their continuance would affect the Budget for the remainder of 2008. Mr. Goodspeed had advised that he would discuss taking over the snow and ice removal work with the Town Board provided that the County would allow Town staff to use the County's machinery, Mr. Lamy noted. Mr. Lamy stated that he had no issue with continuing to provide the snow removal services or with allowing the Town to use County equipment if the Committee was in agreement, but was hesitant to do so without a written agreement between the two Municipalities stating the terms and conditions of use. He added that snow and ice removal services such as these were not provided for any other Town and he was not sure how this had been started.

Mr. Belden stated his feeling that if the County continued to provide these services for the Town of North Creek they would be obligated to oblige such requests from other Towns, thereby incurring additional costs to the County which was not favorable.

Subsequent to further discussion on the matter, it was the consensus of the Committee that no further snow and ice removal services should be provided by the County for the Town of North Creek and that permission to use County equipment for the removal by Town staff would not be given.

Mr. Lamy noted that a County road crossed through the middle of the Town of North Creek which had to be plowed by the County and he asked if they should continue to remove snow banks resulting from this plowing. Mr. Belden replied that the snow banks should be removed; however, he said, it should be done during regular business hours and no overtime costs should be incurred.

Mr. Lamy noted that he had asked Mrs. Simmes to attend the Committee meeting because he had intended to discuss alternatives for the Middleton Road Bridge; however, he said, he was unprepared to provide this report and he apologized for the inconvenience. Mr. Lamy reminded the Committee that while the bridge was closed, the Town road served as the primary detour and there had been several concerns voiced by residents with regards to occasional flooding along that route. He advised that the Town of Bolton Highway Department had raised the level of the road in response to these concerns, although there was one area along the road that was low; however, he said, he was not sure if this was one of the areas that typically flooded. He stated that they had more research to do on the Project before determining if the Middleton Road Bridge would be replaced or removed and they were currently working with NYSDOT to determine what expenses would receive State funding. Mr. Lamy stated that he hoped to have more information on the Project at the next Committee meeting.

Chairman Monroe announced that he had two items to discuss, the first of which concerned the agreement with The Chazen Companies as it pertained to the development of plans for the festival area on the Gaslight Village property. He advised that he had met with Walt Lender, of the Lake George Association (LGA), who had recommended some changes within the agreement which Mr. Dusek was agreeable to. Chairman Monroe cited that the changes primarily ensured that the 3M's (Municipalities - Warren County, Town of Lake George and Village of Lake George) had ultimate control over plans for the site. He added that the funding for the agreement was in place and The Chazen Companies were ready to begin developing the plans immediately. Chairman Monroe said that the timing was perfect to begin the planning process as The Chazen Companies would be able to work jointly with Clark Patterson Lee who were evaluating the structures currently in place to determine what they could appropriately be used for, which would be helpful in developing plans for the site. He added that meetings would be held with representatives of the 3M's and a public meeting would also be held prior to making any recommendations on the use of the property.

As a second point of information, Chairman Monroe noted that the recently elected Supreme Court Judge, Robert Muller, would require office space in Warren County prior to January 2, 2009 when he assumed office. He explained that because Judge Muller resided within Warren County, the State mandated that the County provide and fund the necessary office space. Chairman Monroe said that although he felt a County Facilities Committee meeting should be scheduled to further discuss the matter, he wanted the Committee to be aware of the issue.

Mr. Payne advised that subsequent to his election, Judge Muller had visited the CNA Building seeking 2,500 to 3,000 sq. ft. of space for his quarters and had been very happy with what was offered. He said that upon receipt of this information, he had contacted Chairman Monroe to update him on the situation and a decision had been made to seek out other possibilities for the Judge's quarters. Mr. Payne said that he had visited the Empire Theater Building upon the recommendation of Mr. Taylor who had already viewed the site and he had found that a 1,500 sq. ft. space was available that included excellent accommodations on the second floor of the Building with handicapped access. He added that the building was currently being renovated and would be phenomenal once completed prior to January 1st. In the meantime, Mr. Payne apprised that Judge Muller had visited the former

Trustco Building and had found that 2,300 sq. ft. was available on the first floor of the building which was more to Judge Muller's liking than the space he previously desired at the CNA building; the cost for this space, he added, would be \$39,750 per year for a five-year lease, plus utility costs. Chairman Monroe interjected that because Judge Muller had been elected to a fourteen-year term, the County would pay in excess of \$500,000 in that time if the property was secured, assuming that the lease price did not increase.

Mr. Belden asked if any of the lease costs would be reimbursed by the State and Mr. Payne replied in the negative, noting that the State would purchase the furnishings for the office but the County would be responsible for all lease costs. Mr. Belden then questioned if sufficient space could be identified within the Municipal Center to house Judge Muller and Mr. Payne replied that he and Chairman Monroe had discussed this option also and had determined that the space previously used as the kitchen for the old jail could be converted into office space, although the connecting garage bay would have to be rehabilitated to allow for the proper amount of space. The problem with renovating this area, he advised, was that there were some pipes that required asbestos removal; however, he noted, the renovation of this area would be much less costly than leasing space at an alternative site.

Subsequent to further discussion on the matter, it was determined that a County Facilities Committee meeting would be scheduled for Friday, December 5th at 8:30 a.m. to address the issue of locating office space for Judge Muller and his staff.

Mr. Merlino voiced his frustration with additional funding being removed from the Snowmobile Budgets for 2009. He reminded the Committee that in developing the 2009 Budget they had determined that the Snowmobile Budget should be reduced by 10%; however, when the 2009 Budget was finalized a total of 30% had been removed, lowering the total from \$100,000 to \$70,000, with no input by the Committee. Mr. Merlino stated that he did not feel this amount was sufficient to support the grooming and maintenance services necessary to preserve the snowmobile trails which were provided by un-paid volunteers. He noted that although he was by no means criticizing the Committee, it was his opinion that the reduced budget was too minimal to fund the services necessary and the groups might not provide the services based on the reductions.

Mr. Geraghty apprised that the budget reductions made subsequent to Committee review were made independently by the Department Heads in an effort to further reduce the 2009 Budget prior to its adoption. He said that this had been an oversight by the Budget Committee and that an alternate source of funding would be determined to return the \$20,000 reduced from the Budget to that code if the Board of Supervisors was in agreement with the action. Mr. Stec agreed with Mr. Geraghty's statements, noting that the reduction was an oversight and that they would have to work to return the funds to the Snowmobile Budget; he added that issues such as this had occurred frequently in the past and he hoped there were not too many other similar instances.

Discussion ensued.

Mr. Belden questioned if there would be \$20,000 leftover in any part of the DPW Budget that could be transferred to cover the reduction in Snowmobile funding at the close of 2008 and Mr. Lamy replied that he was unsure as in the two years that he had held his position he had not been privy to any information regarding leftover Departmental balances. Mr. Geraghty advised that the Treasurer's Office would not make any determination as to remaining funds until the accounts were closed in February of 2009. Mr. Merlino interjected that this would not help as the Snowmobile Clubs received their funding in January.

Paul Butler, Director of Parks, Recreation & Railroad, entered the meeting at 10:56 a.m.

Chairman Monroe noted that one possibility for funding the difference would be that fuel prices had declined drastically since the 2009 Budget was developed and there might be a considerable amount of funding that would not be used, leaving extra funds available within the Budget.

Mr. Payne said that the Treasurer's Office had questioned whether Capital Project H149.9550 280, Burt Murray Bridge Replacement, could be closed and Mr. Lamy replied affirmatively, noting that the Project had been completed many years earlier. Mr. Payne advised that \$155,000 remained in the Capital Project and could be transferred to the Bridge Replacement/Repair Reserve.

As there was no further DPW business to present, privilege of the floor was extended to Mr. Butler to begin the Parks, Recreation and Railroad portion of the meeting. Mr. Butler distributed copies of the Parks, Recreation and Railroad agenda to the Committee, a copy of which is on file with the minutes.

Mr. Butler advised that the first section of the agenda pertained to the Warren County Railroad Stations Project and he introduced Nick Schwartz, of Clough Harbour Associates (CHA), who he said was in attendance to advise the Committee on the status of the Project. Mr. Schwartz apprised that the blasting process at the Hadley Station site had been completed to reduce the rock to an appropriate level and footings and foundation walls for the Rail Station platforms had been poured and were now curing; he added that the top slab would be poured during the ensuing week for the shelter itself. As for the Thurman Rail Station platform site, he announced that the footings, foundation walls and top slab had been poured for the shelter and about half of the drainage work had been completed, while the siding track work was ongoing. Mr. Schwartz advised that the second half of the drainage system required a change order to appropriately upgrade it. He explained that while the existing culvert was active and conveyed water flows, during the design and early construction processes it had been determined that the culvert was not a sound facility for the outlet of the system. Mr. Schwartz said that the existing culvert was made of dry-laid stone and would not be effective once the property had been paved. In order to rectify the situation, he said, it had been determined that a pipe should be installed through the existing culvert with each end being sealed. Mr. Schwartz noted that when this issue was initially identified, they had determined that it would be less expensive to abandon the current culvert and add new drainage facilities in another location; however, he said, when the bid for this work was received they had found that the cost would actually be \$51,000 which was more than they had expected. They had since requested that the contractor provide a price to slip-line the existing culvert with a pipe that would be grouted on each end to completely seal it, as they felt this would be significantly less expensive, Mr. Schwartz stated. He said that regardless of the option chosen, a change order would be required and he hoped to have a firm estimate of costs later that week.

As for the Project schedule, Mr. Schwartz apprised that construction was proceeding on schedule; however, he said, due to the unpredictable winter weather conditions of the Northeast, he would not be surprised if there was a request from the contractor to extend his contract by approximately one month in order to complete the Project.

Mr. Belden noted that the Project had become quite controversial amongst the Board of Supervisors due to monetary matters and he asked for an estimate on what the costs would be to slip-line the existing culvert pipe. Mr. Schwartz stated that he would estimate the costs to be between \$25,000 and \$40,000, although he said he hoped that it would be much less. Mr. Belden questioned how the change order would be funded and Mr. Butler advised that there were funds remaining within the Capital Project that would cover the change order. Mr. Lamy asked if the change order would require a Local Share to be contributed by the County and Mr. Butler replied in the negative.

Mr. Belden stated that in the past months he had received several complaints from residents asking whether the

Project included the construction of stations or platforms as the newspapers continued to report that stations were being built. He said that he had raised this concern during the previous Board meeting and felt that corrections should be made to all documents noting that platforms were being constructed and not Stations.

Mr. Merlino said that although he was fully supportive of the Rail Station Improvement Project which would include the construction of platforms in the Towns of Hadley and Thurman, he was becoming very frustrated with the number of change orders being submitted and he questioned at what point the contractor would be forced to assume some of the liability for not including the appropriate costs in the bids submitted. He apprised the Committee that he had recently experienced a similar situation with a project being completed by the Town of Lake Luzerne during which change orders were submitted by the contractor for additional fees not included in the original bid. Mr. Merlino said that he was similarly frustrated in that situation as although the contractor had originally been the low bidder for the work, when the costs of their change orders were accounted for, their total was much higher than the bids submitted by other contractors for the same work. In this case, Mr. Merlino said that rather than paying the additional costs of the change order, he had ordered the contractor to remove his equipment from the property immediately stating that they would be paid only for the work completed. After giving this demand, he said that the contractor finished the work for the price given in the original bid. Mr. Merlino suggested that the County take the same stance and demand that the contractor provide the work for the price given in the original bid.

Mr. Schwartz apprised that when they had initially looked at the existing culvert, they had only been able to view one end of it as the other end was completely covered by debris and at that time they had assumed that both ends of the culvert were identical, which they were not. He stated that the inside of the culvert had become the primary concern.

Mr. Geraghty said that as the supervisor of a Town neighboring that in which the Project was taking place, he had received many complaint calls from residents regarding the amount being spent on the Rail Station Project. He said that if additional funds were paid for the Project it would only cause more unease amongst the residents of Warren County. Mr. Geraghty added that he agreed with Mr. Merlino in that the contractor should be forced to provide the services they had promised at the price included in their initial bid.

Mr. Lamy asked what the ramifications would be if the changes to the existing culvert were not made and Mr. Schwartz replied that left as it was, water could pool in the culvert saturating the underlying soils and allowing for the potential failure of the culvert under the rail line. Mr. Lamy then questioned what the prognosis would be if the culvert was left as it was currently and fixed when an issue arose and Mr. Schwartz responded that it was likely to be more expensive as the work would be based on current construction costs and they would also have to fix any damages caused by the culvert failure, inevitably costing more than it would to simply correct the issue presently.

When Mr. Belden asked the Committee if they were in favor of approving the change order, Mr. Schwartz interjected that because a firm figure was unavailable for the actual costs of the change order, it would be irresponsible of CHA to provide the basis of a change order for the Committee to vote on. He added it was his hope that once a firm estimate was established for the work, CHA would be able to negotiate the figure with the contractor and eventually return to the Committee with their findings, at which point approval of the change order would be requested. Mr. Lamy questioned when the culvert work would begin if the change order was approved and Mr. Schwartz replied that it would begin immediately upon approval as the culvert work had to be finished in order to continue with the other aspects of the Project.

Subsequent to further discussion on the matter, it was determined that a special meeting of the Public Works Committee would be held on December 11th at 11:00 a.m. during which the firm costs of the change order would

be presented and discussed by the Committee.

Proceeding to Agenda Item 3, Stony Creek Railroad Boarding Platform at the 1,000 Acres Resort, Mr. Butler advised that Wayne LaMothe, Deputy Director of Planning & Community Development, was in attendance to discuss funding for the Project. Mr. LaMothe apprised that the County currently had a grant program in place called the First Wilderness Heritage Corridor and he had inquired with the granting agency, the Department of State Local Waterfront Revitalization Program, with respect to reallocating \$30,000 to the Stony Creek Railroad platform. He said that in light of what had already been expended and what the County was committed to, he had identified \$25,650 in grant funding which was available for the Stony Creek platform. Mr. LaMothe added that he would be meeting with the Department of State during the following week and he felt that he would be able to secure the remainder of the funding to reach the \$30,000 total needed to construct the Stony Creek platform.

Mr. Belden asked if funding could be appropriated from the contingency monies appropriated to the Hadley and Thurman Rail Station Projects and Mr. Butler replied in the negative, advising that it was not possible because these were two separate projects. Mr. Lamy advised that if Federal grant funding was used for the Stony Creek platform they would have to account for all Federal guidelines and requirements which were much more cumbersome than if they proceeded using the grant funding proposed by Mr. LaMothe.

Mr. LaMothe stated that while he was confident that he would be able to access the \$30,000 in grant funding for the Stony Creek platform, because these were public monies being expended, the State would require an easement or ROW (right-of-way) from the road to the platform. He said that the owner of the 1,000 Acres Resort had stated that he would agree to offer the County a ROW; however, he noted, the agreement had to be legally documented prior to accessing any grant funds. Mr. Butler questioned whether the easement could be given through the 1,000 Acres Resort parking lot or if it had to be from the road and Mr. Lamy advised of his opinion that the existing driveway and parking lot could be used for the easement. Mr. LaMothe said that he agreed with Mr. Lamy's assessment and he noted that the Department of State had apprised that as long as the County could legally certify public access to the platform, public dollars could be expended. Mr. Butler stated that he would contact both the owner of the 1,000 Acres Resort and the County Attorney's Office to begin the ROW process.

Mr. Lamy advised that in order to begin the project a survey was necessary and although bids had been secured for the service, he was hesitant to authorize the work without Committee consent. He added that the cost of the survey would be approximately \$900.

It was the consensus of the Committee that Mr. Lamy should proceed in gaining a survey for the property on which the Stony Creek platform was to be built with the funds to be expended from the Parks, Recreation & Railroad Budget.

Mr. Butler noted that two picnic pavilions had been constructed by Parks, Recreation & Railroad staff at the Kellogg property through the use of grant funding. He stated that the structures had come out very well and he passed around photographs for the Committee to see. Mr. Butler said that the cooperation of the Planning & Community Development and DPW Departments had assisted in the effort.

Moving on to Agenda Item 4, Mr. Butler reminded the Committee that a MOU (memorandum of understanding) had been developed with the Warrensburg Central School for Project SAVE programs at the Up Yonda Environmental Education Center. He explained that the agenda included a request to renew the MOU for a total of \$3,535.20 for the term commencing February 11, 2009 and terminating May 31, 2009.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve the request to extend the MOU with Warrensburg Central School District in the amount of \$3,535.20 and the necessary resolution was authorized for the December 19th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler advised that Agenda Item 5 referred to the Warren County Fish Hatchery and the fish stocking permit renewal. He said that he and Mr. Lamy had recently met with Emily Zollweg, NYSDEC Biologist, who had performed studies in the past years with respect to the County's five-year stocking permit which was to expire on December 31, 2008. Mr. Butler said that subsequent to her studies, Ms. Zollweg recommended that the stocking permit be reduced as the County was duplicating some of the sites being stocked by NYSDEC. He referenced a chart included in the agenda which reflected the stocking services currently being provided by the County. Mr. Butler said that Ms. Zollweg's recommendation would reduce the number of fish raised by Warren County by 3,000 and he noted that the Warren County Conservation Council was also in favor of the reduction. He stated that the reduction in the number of fish produced would be a positive for the Hatchery because the fish would be healthier as they would no longer be over-crowded. He explained that because they did not have enough water for the number of fish produced, they were constantly fighting disease, fin rot and external parasites.

Mr. Belden stated that he served on the Soil and Water Conservation Council who had recently approved an expenditure of \$3,900 for the purchase of fish and he asked if the overproduced fish could be donated to that organization. Mr. Lamy questioned if the Soil and Water Conservation Council would be stocking public waters within Warren County and Mr. Belden replied that he was unsure. Mr. Payne interjected that the County would be unable to gift the fish to the Soil and Water Conservation Council due to Municipal Law which prohibited it.

Mr. Stec noted that Glen Lake, which had public access, did not appear to be part of the stocking list and he asked if that location could be added. Mr. Butler replied that he would speak with NYSDEC to determine if this was a possibility; he added that if any of the Committee members had suggestions for other public bodies of water that required stocking they should contact him.

Continuing to Agenda Item 6, Mr. Butler suggested that a sub-Committee be developed for preparation of the Railroad Operator RFP. He said that the previous RFP could be referred to during the process and although two new facility sites were being added, he did not feel that there would be too many changes. Mr. Butler stated that the Antone Mountain Road crossing was slated to be completed by the spring of 2009; he added that the signal repair work was to be completed by UHRR (Upper Hudson River Railroad) once the Town of Corinth signed the necessary agreements.

Mr. Belden asked when the current contract with UHRR was to expire and Mr. Butler apprised that they had recently been given a two-year extension on their contract extending it to December 31, 2010; however, they had requested that the RFP process begin early so that whomever was chosen to accept the contract in 2011 could appropriately plan for themselves. Mr. Butler advised that he would bring his thoughts for changes to the existing RFP back to the next Committee meeting and a determination could be made at that point as to whether or not a sub-Committee should be named to further the RFP process.

Discussion ensued with respect to the matter.

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

- 1) Referring to negotiations with OSI (Open Space Institute) regarding the Kellogg Property, Mr. Butler

advised that although Mr. Goodspeed had been unable to attend the meeting, he had spoken with him and found that the Elan Report had been received. He apprised that Mr. Goodspeed intended to speak with Mr. Dusek regarding the body of the OSI contract and he noted that the uses of the property would be very flexible. Mr. Butler said he believed that the property would be transferred to the County within the winter season;

- 2) The Stony Creek platform at 1,000 Acres Resort was discussed previously during the meeting;
- 3) The Railroad Operator RFP was discussed previously during the meeting.

As there was no further Parks, Recreation & Railroad business to present, privilege of the floor was extended to Mr. Lamy to begin the Solid Waste & Recycling portion of the Committee meeting.

Mr. Butler left the meeting at 11:47 a.m.

Mr. Lamy apprised that the Solid Waste & Recycling portion of the Committee meeting had been scheduled as per the request of Chairman Monroe in order to discuss the development of a Solid Waste Management Plan. Chairman Monroe said that although he was unsure of the efforts or feelings of the Inter-County Solid Waste Coordinating Committee with respect to the development of a Solid Waste Management Plan, he felt the County needed to move forward quickly because they needed to complete the end of term planning for the Hartford Landfill. He said that Steve Lynch, Solid Waste Coordinator, had submitted a proposal to do the work and was already working on Washington County's version. Chairman Monroe added that they should develop a plan similar to that being entertained by Washington County as it gave the two Counties considerable bargaining clout if they implemented identical policies; therefore, he said, it made sense to hire Mr. Lynch to develop Warren County's Plan also. He stated it was his understanding that as per the County Attorney's Office, an RFP was required for these services although he did not feel it was sensible to hire a new party who had no background in the matter to start the process all over. Chairman Monroe said it was his feeling that they should confer with the County Attorney to modify their procedural rules to allow for a contract to be secured with Mr. Lynch without completing an RFP process.

Mr. Champagne said that Mr. Lynch was already under contract with the IDA (Industrial Development Agency) and he was unaware if Washington County had secured a separate contract for these services. He advised that the Inter-County Solid Waste Coordinating Committee was also anxious to begin the process of developing a Solid Waste Management Plan and shared Chairman Monroe's feeling that contracting with anyone other than Mr. Lynch would be a waste of time as he was already aware of the situation and the history of the site.

Mr. Dusek apprised that State Law specified that an RFP or some other process had to be implemented when they were not required by law to accept bids for a service in order to ensure that there was no favoritism when determining who would be chosen to provide the necessary services. As a result, he said, they had to be able to demonstrate that they had gone through some sort of a selection process and were able to provide justification for contracting with a particular individual. He said that while Mr. Lynch had a long-standing connection with the Hartford Landfill and appeared to be the best candidate for the job, his position thus far had been confined to serving as the Coordinator of the Solid Waste Program between two Counties, and not to either alone or with another engineer provide a Solid Waste Management Plan for Warren County, which was clearly a new function.

Chairman Monroe countered that there were two parts to the process, one being the end of term planning for the Hartford Landfill, which he felt was the most time critical, and was related to the Solid Waste Coordinating Committee, while the second part was the Solid Waste Management Plan.

Mr. Dusek replied that Mr. Lynch's proposal closely intertwined both of the sections referenced by Chairman Monroe as it stated that he could complete both portions. He said that his concern in this matter was that there were no protections involved that allowed the County to compare the fees offered by Mr. Lynch or the manner in which he hoped to accomplish the items described in his proposal. Mr. Dusek said he advocated an RFP process so that although Mr. Lynch may still be chosen to hold the contract, the County would have other bids to compare his to in order to be sure that his was the best proposal given. He added that he felt there was sufficient time to get the work done while allowing for the RFP process.

Discussion ensued.

It was the consensus of the Committee that Mr. Dusek and Mr. Lamy should work together in beginning an RFP process for the procurement of a firm to develop a Solid Waste Management Plan.

Moving ahead to Agenda Item 4, Mr. Lamy apprised that a meeting had been held between himself; Trish Nenner, 2nd Assistant County Attorney; Rick Murphy, Deputy Commissioner of Fiscal Services and Brian Humphrey, Deputy Superintendent of Highways and Bridges, to discuss the current practices used for solid waste recycling and transportation services for Warren County and its municipal subdivisions. He said that during this meeting they had discussed the current practices used as opposed to those that should be used. Mr. Lamy stated that he needed to determine how many Towns actually used the current County contract for recycling services and wished to continue to use them in some manner. He said that from this information an RFP could be structured and a municipal agreement similar to that used for Snow and Ice removal would be developed for any Town wishing to utilize the recycling contract. Mr. Lamy advised that the Town's currently partaking of the recycling program were billed directly by the vendor rather than being billed through the County and these were also issues that needed to be ironed out during the RFP process. He stated that he would continue to work on the RFP and would be contacting each of the Town's individually with respect to participation and billing matters.

Concluding the agenda review, the listing of items pending from prior Committee meetings were discussed as follows:

- 1) No update was provided with respect to the Hartford Landfill;
- 2) In reference to the concept of establishing a fund through the Inter-County Solid Waste Coordinating Committee and authorizing a trustee to put \$75,000 into an interest bearing account for development and update of a Recycling and Solid Waste Management Plan, Mr. Dusek stated that he was not in favor of this action, noting that they should pay for the services directly as they were provided;
- 3) The development of an RFP for future Solid Waste planning was discussed previously in the meeting.

Mr. Champagne requested a report on the status of construction on the new Health and Human Services Building to which Mr. Thomas, speaking as the newly appointed Chairman of the County Facilities Committee, replied that the construction was proceeding on schedule and under budget.

As there was no further Solid Waste & Recycling business to present, on motion made by Mr. Taylor and seconded by Mr. Bentley, Mr. Belden adjourned the meeting of the Public Works Committee at 12:07 p.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist