

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY FACILITIES

DATE: APRIL 14, 2009

COMMITTEE MEMBERS PRESENT:	OTHERS PRESENT:
SUPERVISORS THOMAS	WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
O'CONNOR	JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF PUBLIC
CHAMPAGNE	WORKS
VANNESS	FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS
PITKIN	FRED AUSTIN, BUILDING PROJECT COORDINATOR
COMMITTEE MEMBERS ABSENT:	FREDERICK MONROE, CHAIRMAN
SUPERVISORS GIRARD	PAUL DUSEK, COUNTY ATTORNEY
GOODSPEED	HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL
	SERVICES
	JOAN SADY, CLERK OF THE BOARD
	KEVIN GERAGHTY, BUDGET OFFICER
	SUPERVISOR TESSIER
	KAREN PUTNEY, ADMINISTRATOR, FIRE PREVENTION &
	BUILDING CODE ENFORCEMENT
	SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

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

Motion was made by Mr. O'Connor, seconded by Mr. Pitkin and carried unanimously to accept the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Frank Morehouse, Superintendent of Buildings, who distributed copies of the agenda packet to the Committee members; a copy of the agenda is on file with the minutes.

Beginning with Agenda Item 2A, Mr. Morehouse advised that the construction of the Human Services Building (HSB) was proceeding ahead of schedule. Mr. Geraghty questioned whether the lights remained on at all times and Fred Austin, Building Project Coordinator, explained that the lights had to remain on whenever employees were working for safety reasons.

Mr. Thomas advised that it was necessary to address the elevator safety collar issue prior to moving to Agenda Item 2B. He questioned whether an engineer from Clark Patterson Lee (CPL) had determined the necessity of a safety collar and Mr. Lamy stated that he had assumed the responsibility and would be performing the review himself.

Agenda Item 2B, Mr. Thomas explained, pertained to the Gaslight Village property.

Chairman Monroe advised that a \$2.5 million grant had been awarded for the Gaslight Village property and discussions were necessary to determine how the funds could and should be used. He advised that short-term and long-term plans were necessary to ensure that future grant funds would be awarded in connection with the property.

Chairman Monroe stated that the \$1.2 million grant that had previously been awarded to the 3E'S (Environmental Groups) was for the demolition of the dilapidated buildings on the property. He apprised that the Request for Proposal (RFP) was scheduled to be issued as soon as the contract was signed by all the necessary parties. He advised that Mr. Tessier was moving forward with the renovations to the buildings and would make a determination as to whether the Opera House could be salvaged.

Chairman Monroe apprised that a meeting had been scheduled with the New York State Department of Transportation (NYSDOT) to discuss the appropriate use for the grant funding. He said that he thought the funds could be used for sidewalk construction, lighting, landscaping, trails and the construction of a Welcome Building with a restroom. He requested that Jeffrey Tennyson, Deputy Superintendent of Public Works, research whether the funds could be used for plans and specifications for the buildings and landscaping, as well as if the funds could be used to pay County employees to pave the parking lot, and report back to the Committee.

Mr. Geraghty questioned whether the County could present a form with all of the proposed work for Gaslight Village to the NYSDOT and have them check off the work that could be completed with grant funds. Mr. Lamy explained that on prior grants, a list had been presented to the NYSDOT with the proposed work. Chairman Monroe suggested that a plan be prepared to determine how the funds would be used to benefit the Festival Space and the buildings on the Gaslight Village property.

Mr. Tessier informed the Committee that the Town of Lake George's Engineer would be present at the meeting to update NYSDOT on the work that had already been completed on the property and buildings, as well as future renovations. He noted that because there had been no interest by other involved parties to clean up the property, the Town of Lake George Public Works staff had taken on the work, which had lasted 3.5 days. He suggested that in the future the County research whether property could be exchanged with the 3E's (Environmental Groups).

Chairman Monroe stated that he had been informed by Paul Dusek, County Attorney, that the buildings could not be utilized unless an engineer had signed off on the renovations completed. Mr. Lamy stated that he had spoken to Karen Putney, Administrator for the Fire Prevention & Building Code Enforcement Department, who had advised him that according to the New York State Building Code, when public funds for construction exceeded \$5,000 it was required that plans be submitted by a licensed engineer or architect to receive a building permit. Chairman Monroe suggested that the proper procedure be followed to ensure that the building could be used.

Mr. Tessier questioned why stamped engineering plans were required, as no new construction had been performed. He noted that Ms. Putney had advised him that permits were not necessary, as all of the work that had been performed was for remodeling purposes. Mr. Lamy said that as per Ms. Putney, the work completed to date when she visited the site had not met the \$5,000 threshold; therefore, he noted, stamped engineering plans were not necessary at that time. However, Mr. Lamy stated, the work planned would exceed the threshold, and stamped plans would be necessary. Mr. Tessier apprised that the Town of Lake George Engineer would provide the stamped plans.

Mr. Pitkin questioned what plans were being stamped and Mr. Tessier advised that no plans existed, as there was no new construction scheduled for the property. Mr. Champagne stated his understanding was that any structural changes made required stamped engineering plans; however, he added, if the \$5,000 limit pertained to roofing or window replacements, they were not necessary. Mr. Lamy reiterated that he had been informed by Mr. Dusek and Ms. Putney that once the expenditure of funds exceeded \$5,000, plans were required to be stamped and submitted by a licensed engineer.

Mr. VanNess pointed out that rehabilitation was taking place on the property, not new construction. He noted that changes to any load bearing walls would be considered construction and would exceed the \$5,000 limit. Mr. Tessier advised that if any of the renovations and/or proposed changes exceeded \$5,000, stamped engineered plans would be acquired.

Mr. Dusek outlined the law which stated "No County, City, Town, Village or Subdivision shall engage in construction or maintenance of any public work involving engineering or land surveying for which plans, specifications, estimates have not been made and the construction maintenance supervised by a professional engineer with the exception of public highways. He noted the law stated that it did not apply if the project did not exceed \$5,000, as well as for alterations to any building or structure costing \$10,000 or less which did not involve changes effecting the structure safety or public safety. He then summarized that if they were altering or improving the building for less than \$10,000 without affecting the structure, stamped engineer plans were not required; however, he stated, the normal rule was that if the project exceeded \$5,000, engineer specifications, supervision of the work and stamped plans were required.

Mr. O'Connor asked whether the \$10,000 threshold pertained to different components and Mr. Dusek advised that the law was unclear as to whether it could be divided into different components, such as electrical, plumbing, etc. He said that he would research this and report back to the Committee. Mr. Pitkin questioned how the \$10,000 threshold pertained to different buildings and Mr. Dusek apprised that it did not apply to any alterations made to any building or structure costing \$10,000 or less which did not involve structural work.

Mr. Dusek apprised that the law would apply to the Opera House, as the proposed alterations included tearing down walls, which, he noted, were structural renovations that warranted plans, specifications and supervision by an engineer. Mr. Tessier questioned how something that was being torn down could be included in engineer specifications and Mr. Dusek deferred to Mr. Lamy for an engineer's explanation. Mr. Lamy advised that engineered plans were necessary to ensure that when the walls were torn down the building would not collapse.

Mr. Tessier stated that stamped engineering plans would be acquired and he questioned why this was such a controversial issue. Mr. VanNess responded that as long as any structural changes were stamped by an engineer no issue would arise. Mr. Champagne advised that in light of new awareness with respect to the rules pertaining to the buildings, he did not think it was unreasonable to ask the Town of Lake George's Engineer to supply a stamped set of plans on the proposed changes prior to the work being done.

Mr. Tessier commented that the Town of Lake George's Engineer had developed and overseen the work of many prior projects for the Town and was certainly capable of overseeing the Gaslight Village project. Mr. Lamy concurred that the Engineer was qualified to develop a set of plans for the Gaslight Village project; however, he stated, most projects required that the plans be stamped and submitted prior to commencing the work.

Mr. Tessier pointed out that if he had used the engineering plans submitted by CPL, he would have been required to obtain a permit for all phases of the project. Mr. Geraghty questioned whether a stamped set of plans was necessary for changes to the restrooms and Mr. Tessier advised that no changes were scheduled to be made to the restrooms with the exception of reinstalling a door.

Ms. Putney questioned where the \$10,000 threshold was derived from and Mr. Dusek advised that it was from the Education Law. Ms. Putney said that the copy of the law she had reviewed stated that the \$10,000 threshold applied only to the City of New York and that a \$20,000 threshold applied elsewhere.

Ms. Putney questioned what the last use of the Cavalcade of Cars building was and Mr. Tessier replied that it was used as an exhibit hall. She questioned what the County would be using the building for and Mr. Tessier responded that it would remain an exhibit hall. She advised that it was necessary for someone to review the light safety and public safety according to the interpretation of the law. In reference to the restrooms, she apprised that it may be necessary to make changes to bring the building in compliance with current codes and it might require additional accessibility measures; therefore, she noted, engineering plans would be necessary.

Mr. Dusek stated that the law he referenced had been updated in December of 2008 and he questioned whether it had been changed since then. Ms. Putney replied that the

law Mr. Dusek reviewed was more current than the one she had referenced and she pointed out that if existing space was reconfigured or structural changes were made, stamped engineering plans were required. She stated that a plan was necessary to determine what aspects of the project would require stamped plans.

Mr. Dusek suggested that an engineering firm be hired to develop a plan for the Opera House to ensure compliance with the current building codes. He noted that although the County was upset with the cost quoted by CPL in connection with the project, it was necessary to have an engineer guide them through the process to ensure building code compliance. Mr. Tessier advised that the Town of Lake George Engineer would supply plans to ensure that all compliance issues were appropriately addressed.

Mr. Lamy questioned whether any cases existed wherein lieu of stamped plans, a written description was sufficient and Ms. Putney responded in the negative. She apprised that it was necessary for the engineer to be familiar and remain in compliance with current New York State Building Codes.

Discussion ensued.

Pursuant to further discussion on the matter, motion was made by Mr. VanNess, seconded by Mr. Pitkin and carried unanimously authorizing a stamped set of engineering plans be submitted by the Town of Lake George to the County Building Code Enforcement Department prior to commencing any construction and/or alterations on the Opera House building.

Chairman Monroe noted that Mr. Tennyson was scheduled to attend the meeting with the NYSDOT and would notify the Committee as to how the \$2.5 million grant funds could be used. He stated that it was necessary to develop a long-term plan for the property as soon as possible, because it might help to generate public support for the project, as well as the possibility of receiving grant funds elsewhere. For example, he noted, the County would have been eligible for the Green Initiative Grant if a Project plan had been in place for the property.

In response to a question by Chairman Monroe, Mr. Tessier advised that if it was determined that the Opera House could not be saved, the Town of Lake George would pay to have the building demolished.

Moving along to Agenda Item 2C, Mr. Thomas advised that the Finance Committee had voted not to move forward with the CPL proposal for the Court space. He explained that the County Facilities Committee had proposed moving the Board of Elections (BOE) to the old Jail space, the Planning and Community Development Office into the BOE location, allowing for the Courts to expand into the current Planning space.

On an inquiry by Chairman Monroe, Mr. Thomas stated that CPL had been hired on an hourly basis to assist in determining if these plans were feasible. Mr. Champagne

suggested reviewing all prior proposals for the space before making a decision on the matter and Mr. Pitkin agreed.

Mr. Lamy suggested that the County hire a more experienced engineer to review the architectural stability of the building when making renovations. He stated that although his engineering staff was qualified to do the work, it was not their area of expertise. In addition, he noted that the County engineering staff was currently occupied with other projects and did not have the time available to work on proposals for the Court space.

Mr. Thomas requested that any members of the Committee who did not have copies of the prior CPL report on the old Jail space notify Mr. Tennyson so he could provide them. He advised that the Committee members should research the reports in preparation for further discussion at the next Committee meeting.

Concluding the Agenda review, Mr. Lamy advised that he and Mr. Morehouse had received several complaints from Departments regarding the decline in service provided by the cleaning staff. He explained that the cleaning staff had been reduced to cut costs, which had resulted in a rotating schedule of when offices would be vacuumed, rather than on a daily basis. Mr. Payne interjected that he had already addressed the situation with the departments.

As there was no further business to come before the County Facilities Committee, on motion made by Mr. VanNess and seconded by Mr. Pitkin, Mr. Thomas adjourned the meeting at 2:07 p.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist