

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY FACILITIES

DATE: March 3, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS

THOMAS
VANNESS
CHAMPAGNE
GIRARD
BELDEN
PITKIN
MCCOY

OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS
JEFF TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING
FRED AUSTIN, BUILDING PROJECT COORDINATOR
JOHN HORGAN, BOVIS LEND LEASE
JON NORRIS, CLARK PATTERSON
PAUL DUSEK, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS STEC
LOEB
TAYLOR
CONOVER
KENNY
STRAINER
GOODSPEED
JOHN BOWE, CORNELL COOPERATIVE EXTENSION
DAVID ROSEBAUM, BOVIS LEND LEASE
SHEILA WEAVER, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES
JULIE PACYNA, PURCHASING AGENT
WILLIAM MONTFORT, COMMISSIONER, BOARD OF ELECTIONS
CONNIE SERVICE, DEPUTY COMMISSIONER, BOARD OF ELECTIONS
DON LEHMAN, *THE POST STAR*
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

Mr. Thomas called the meeting of the County Facilities Committee to order at 9:34 a.m.

Motion was made by Mr. Girard, seconded by Mr. McCoy and carried unanimously to approve the minutes of the January 26, 2010 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to John Horgan, Bovis Lend Lease, Inc., who referenced the bid results for the abatement and demolition of the former Department of Social Services (DSS) Annex Building, a copy of which is on file with the agenda. Mr. Horgan reported a base low bid of \$79,000, with an alternate low bid of \$104,000 which included boiler abatement. The base low bid, he stated, was \$159,000 for demolition, with a low base bid of \$8,000 which included removal of the concrete basement. Additionally, he apprised, there was miscellaneous furniture removal for which the alternate low bid was \$2,500. He reported a total demolition bid of \$169,500, and \$273,500 for the combined demolition and abatement. In comparison, he stated that another bidder had presented a combined bid of \$266,000.

Pertaining to the electrical portion, Mr. Horgan stated that it was packaged separately with a total

low bid of \$294,447 as compared to the budgeted amount of \$400,000.

Continuing, Mr. Horgan reviewed the incidental costs which included the need for the County to hire an air monitoring company to check abatement which was estimated at \$18,000; a Fuel Tank Closure Department of Environmental Conservation (DEC) Approval Report relative to the presence of sludge in the fuel tank estimated at \$8,000; printing; and special inspections which included decommission of the elevator(s) for safety purposes prior to demolition. The low bid which included incidental costs was \$337,447 with the contingency factor of \$20,000 resulted in a total of \$357,447. Mr. Horgan noted that it had been decided that a gravel surface would be sufficient; thereby resulting in an unexpended amount of \$80,000 from the original budget which was intended for pavement removal. Mr. Pitkin asked if the latter \$80,000 was part of the original budgeted \$450,000 and Mr. Horgan stated that it was not. As a result, Mr. Pitkin pointed out an actual net savings of \$92,553 and Mr. Horgan concurred.

Mr. Geraghty questioned the \$8,000 fee for the DEC Approval Report and Mr. Horgan deferred the question to Jon Norris, Clark Patterson Engineering, who was familiar with the report. Mr. Norris stated that there was a tank located in the basement of the annex building for which two quotations had been obtained, one of which was from the abatement consultant, and the other was from the Civil Engineering Department who conducted research. Bill Lamy, Superintendent of Public Works, asked if the \$8,000 for DEC approval included both the removal of the tank and the disposal of the material and Mr. Norris replied affirmatively. Responding to Mr. Girard, Mr. Norris apprised that the low bidder had no additional funds to pay for damages caused by leaks or contaminations should they occur, and he added that the above ground tank contained oil of a high viscosity alluding to a lower risk of contamination. Mr. Pitkin asked to confirm who was responsible for any leakage during the removal process and Mr. Norris affirmed that it was the responsibility of the bidder who was awarded the job.

Mr. VanNess entered the meeting at 9:47 a.m.

Mr. Geraghty cautioned against segmentation of the project as the County was not equipped for abatement removal and the entire process could be delayed.

Mr. Girard stated that it was his understanding that the County did not have the capability to raze the building and he enumerated to Mr. Lamy the list of core projects. Mr. Lamy agreed that it would not be effective for the County to raze the building, which included boiler abatement and removal of the concrete basement. He stated that the County staff could remove the furniture; however, he reminded the Committee that it would result in the delay of other County Projects. Mr. Lamy further responded that air monitoring would be handled by a contractor; additional information would be required for evaluation of the printing requirements, and the County had no experience with elevator decommission. Mr. Lamy stated that he was not prepared to report on the possible rearrangement of County projects in order to commit County staff to this effort. He articulated that in addition to a cost evaluation, he would need to determine if the project was within the normal operating processes of the Department. Responding to Mr. Pitkin, Mr. Lamy reiterated that he was not prepared today to respond to the County's ability to handle the project; however, he said, he planned to conduct the necessary evaluation. Jeff Tennyson, Deputy Superintendent of Environmental/Engineering Services, stated that he would obtain a quote from the stand-by consultant for abatement air monitoring, for comparative purposes.

Mr. Pitkin suggested that County staff begin the demolition work and that contractors could be obtained as deemed necessary. Mr. Lamy reiterated that he would need to conduct an evaluation

which included the equipment required for demolition. He further stated that he would produce a list of all established County projects currently underway.

Responding to a query from Mr. Champagne, Mr. Thomas apprised that the total amount of \$357,447 would not be part of the Human Services Building (HSB) bond, as there would be a separate bond for the abatement and demolition. Mr. Girard cautioned of possible liability issues relative to the flat roof and the heating system, and he noted that the building was not used for storage. Mr. Thomas added that if the building was not removed, it must be boarded up, and the heat, water, and a security system must be maintained, as well as police patrols, liability insurance, and snow removal in case of fire. With regard to expediting demolition activities, Mr. Girard noted that a delay could result in safety liabilities which could result in higher future bid responses. Mr. Pitkin expressed his agreement for the demolition of the former DSS annex building.

Motion was made by Mr. Belden, seconded by Mr. Girard and carried unanimously to accept the combined low bid of \$357,447 for abatement and demolition of the DSS Annex Building, and to refer same to the Finance Committee for implementation of the serial bond prior to bid acceptance from the Board of Supervisors.

Mr. Morehouse presented a request to amend Resolution No. 422 of 2009 to change the original contract amount from \$12,000 to \$22,255, for the necessary equipment for the HSB, with \$10,255 to be reimbursed by the New York State Energy Research and Development Authority (NYSERDA). He noted that funds were available in the capital project.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to approve the request as outlined above and to refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

The second request presented by Mr. Morehouse was a request for a transfer of funds from Code No. A.1620.413 - Repair & Maintenance, to Code No. A.1620.260 - Equipment, in the amount of \$3,500, for blind repair and replacement.

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

Pertaining to the second floor renovations, Mr. Morehouse presented a letter from Joan Sady, Clerk of the Board, a copy of which is on file with the agenda, commending the maintenance staff for their prompt and efficient work relative to the office renovations and office reconfiguration project which resulted in cost savings.

Paul Dusek, County Attorney, stated that due to the presence of Mr. Horgan, Mr. Norris and Fred Austin, Building Project Coordinator, at today's meeting, he would like to address a situation that occurred with regard to an invoice from Dataflow Reprographics LLC. He apprised that a contract had been authorized with the above-named firm for services needed for the HSB and the bill had been received in the amount of \$3,266.32, which JoAnn McKinstry had identified as being in excess of the necessary charges as the contract did not include overnight courier services, and as a result, \$1,309.44 was authorized for payment. Subsequently, he said, the company disputed the payment and Mr. Dusek discussed the matter with Mr. Horgan, Mr. Norris and Mr. Austin to learn that expediency of the project was essential and the bid related materials required express mail services in order to avoid other more costly expenses that a delay would cause. Mr. Dusek conferred that

the decision to expedite the materials at the time was a wise course of action, and therefore the expense was found to be legitimate. Mr. Dusek informed that a resolution would be necessary in order to pay the additional amount for which the payee was entitled.

Motion was made by Mr. Pitkin, seconded by Mr. Girard and carried unanimously to approve the request to pay \$1,956 to Dataflow Reprographics LLC, Invoice No. 429573, for overnight delivery charges which were not included in the contract, and the necessary resolution was authorized for the March 19, 2010 Board meeting. *A copy of the invoice is on file with the minutes.*

Mr. Dusek commended Mrs. McKinstry for her attention to detail in identifying the valid discrepancy which could not have been resolved without additional information.

Mr. Belden raised the issue of the need for additional space in the Board of Elections Office and privilege of the floor was extended to William Montfort, Commissioner of the Board of Elections who requested that a doorway be moved in order to accommodate an ADA compliant privacy booth and voting machine. He explained that there was no available space in the BOE Office to count absentee ballots.

Mr. Thomas asked if there were any other space options and suggested the basement of the Human Services Building. It was consensus of the Committee that Mr. Morehouse would evaluate the space issue, identify other possible options, and report back to the Committee.

With regard to concerns raised by residents of the Courthouse Estates adjacent to the Municipal Center and HSB, Mr. Stec reported that concerns had been received from residents regarding the visibility of headlights from their property due to increased traffic at the HSB. He asked if a six-foot barrier, such as a stockade fence or shrubbery, could be considered in order to deter the lights. Mr. Kenny challenged that the building closed at 5:00 p.m. and questioned the magnitude of the problem. Mr. Thomas stated that he would further evaluate the matter.

Mr. Thomas recommended an executive session to discuss matters relating to the employment history of a particular person.

Motion was made by Mr. Belden, seconded by Mr. McCoy and carried unanimously that executive session be declared, pursuant to section 105 (f) of the Public Officers Law.

Executive session was declared from 10:15 a.m. to 10:23 a.m.

Committee reconvened and Mr. Thomas stated that there was no action relative to the executive session.

Referencing recent approval to fill a cleaning crew position, Mr. Lamy informed that the vacancy had been posted. He apprised that there were two staff members who had been taken off payroll due to illness, and prior approval to hire temporary staff was received. He stated that one employee on medical leave had since retired and after discussion with Mr. Morehouse, Mr. Lamy informed that he had decided to hire part-time temporary staff and hold the backfill for a later date following full evaluation.

There being no further business to come before the County Facilities Committee, on motion by Mr. Belden and seconded by Mr. Girard, Mr. Thomas adjourned the meeting at 10:25 a.m.

Respectfully submitted,
Joanne Collins, Legislative Office Specialist