

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS - DPW AND PARKS, RECREATION & RAILROAD

DATE: JULY 27, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
BENTLEY
STEC
MERLINO
CHAMPAGNE
LOEB
MCCOY
CONOVER

OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
JEFFERY TENNYSON, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
DON DEGRAW, AIRPORT MANAGER
FREDERICK MONROE, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS KENNY
STRAINER
TAYLOR
THOMAS
CHRIS NAVITSKY, LAKE GEORGE WATERKEEPER
DAYELIN ROMAN, *THE POST STAR*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBER ABSENT:

SUPERVISORS PITKIN

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

Motion was made by Mr. McCoy, seconded by Mr. Conover and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

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

Commencing the review with Agenda Item 2, Mr. DeGraw presented a request for a new agreement with EAA (Experimental Aircraft Association) Chapter 353 allowing use of the Floyd Bennett Memorial Airport for the Young Eagles Fly-In event scheduled for October 2, 2010 with a rain date of October 3, 2010.

Mr. Loeb questioned if the event would require closure of the Airport facility and Mr. DeGraw replied in the negative, noting that the purpose of the event was to introduce children between the ages of 8 and 17 to flying.

Motion was made by Mr. Loeb, seconded by Mr. McCoy and carried unanimously to approve the request for a new agreement with EAA Chapter 353 as previously referenced and the necessary resolution was authorized for the August 20th Board meeting. *A copy of the request is on file with the minutes.*

Mr. DeGraw announced that Agenda Item 3 referred to a request to authorize out-of-State travel for himself to attend the 52nd Annual NEC/AAAE (Northeast Chapter/American Association of Airport Executives) Conference in Burlington, VT on August 16, 2010. He noted that although the event was scheduled to be held for seven days, he would only be attending for one.

Motion was made by Mr. Conover, seconded by Mr. McCoy and carried unanimously to approve the request for out-of-State travel as outlined above and the necessary resolution ratifying the actions of the Committee in approving attendance was authorized for the August 20th Board meeting. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Continuing, Mr. DeGraw presented a second request to authorize out-of-State travel for himself to attend the Aviation Career Education camp in Springfield, VT on August 18, 2010; he added that he would be attending the event as a guest speaker.

Motion was made by Mr. Conover, seconded by Mr. Champagne and carried unanimously to approve the request for out-of-State travel and the necessary resolution ratifying the actions of the Committee in approving attendance was authorized for the August 20th Board meeting. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Messrs. Bentley and Stec entered the meeting at 9:35 a.m.

Agenda Item 5, Mr. DeGraw apprised, consisted of a request for authorization to apply for and subsequently execute a grant agreement with the FAA (Federal Aviation Administration) in the amount of \$9,304 in relation to a previously closed Capital Project. He explained that due to an FAA accounting error, these funds had never been paid to the County and the FAA had requested this procedure in order to include the funding in a three-part comprehensive grant process which would include funding for the Airport snowblower and design work for the ARFF (Aircraft Rescue Fire Fighting) Building expansion. Mr. DeGraw advised there would be no additional cost to the County as the Local Share associated with this funding had already been paid.

Motion was made by Mr. Conover, seconded by Mr. Stec and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the August 20th Board meeting. *A copy of the request is on file with the minutes.*

Moving on, Mr. DeGraw addressed the listing of items pending from prior Committee meetings which included only one item pertaining to further studies relating to the benefits of procuring an easement on the Forest Enterprises property, as well as consideration of a possible exchange of properties. He said he had been working with Paul Dusek, County Attorney/Administrator, and his staff to develop a plan of action to address this issue.

Mr. Dusek reminded the Committee that when they had visited the Airport earlier in the year they had taken a tour of the facility and viewed the area in which the County sought to potentially extend the runway, plans for which would interfere with proposed development by the owner of the Forest Enterprises parcel, Victor Macri. Subsequent to the tour and further discussion, the Committee had determined it would be best to develop plans which would allow for runway expansion without diminishing development opportunities on the Forest Enterprises parcel as both projects would serve to benefit the County. Mr. Dusek said he and Mr. DeGraw had been working to develop such a scenario and were now in the final steps of the information gathering process, with their next step being the scheduling of a meeting with Mr. Macri to discuss the options available to facilitate both development on the property and the runway expansion. He added that he preferred not to provide further details on the scenarios they planned to suggest as some negotiations with the property owner would be required; however, he added, he would be willing to provide details subsequent to the meeting with Mr. Macri in executive session to discuss the sale of real property, as negotiations could potentially impact the property value. Mr. Dusek advised that depending on the speed with which discussions progressed, they would either discuss the matter further at the next Committee meeting or request that a special meeting be held, if necessary.

Mr. DeGraw concluded the agenda review with the distribution of a photograph reflecting paving and line-striping work done at the Airport for parking purposes. William Lamy, Superintendent of Public Works, interjected that the paving project had involved the DPW Engineering Division, who had provided plans for the topographical and milling work implemented to prepare the site for paving and to facilitate water runoff issues. He said the new surface

was a considerable improvement over what was in place previously and this was an example of how a properly staffed Engineering Division could benefit the County. Mr. DeGraw advised the old pavement was over 35 years old and contributed to a number of "slip and fall" accidents during winter months due to the collection and freezing of water on the surface. He added that not only would the new surface be more presentable, it was also safer.

As there was no further Airport business to discuss, privilege of the floor was extended to Mr. Lamy to begin the DPW portion of the Committee meeting. The DPW agenda was distributed to the Committee members and a copy is also on file with the minutes.

Mr. Lamy began with a review of the Budget Performance Report which was included in the agenda packet. He noted that fuel and salt costs remained lower than anticipated due to the relatively mild nature of the 2010 winter months and lower than estimated fuel costs. Mr. Lamy advised that overtime use was minimal as they had made a conscious effort to avoid incurring such costs whenever possible; however, he noted, there were some instances when overtime was necessary, such as for road construction projects, downed trees and plugged culvert issues occurring outside of normal working hours. He stated there was one area in the budget which would face a shortfall later in the year and a transfer of funds would be necessary, this being Code A1490.110, Public Works Administration - Salaries - Regular. Mr. Lamy explained that due to his impending retirement he would receive payment for accumulated vacation and sick time, which would exceed the amount budgeted in this Code. The good news, he said, was that the current under-staffing in the Engineering Division would allow for a transfer of funds to offset the deficit without incurring any additional costs to the County. Additionally, Mr. Lamy advised he had charged approximately \$5,000 of his labor against the Warren County Sewer Project which served as a revenue returned to the County.

Mr. Champagne pointed out that the Budget Performance Report reflected a 101% expenditure for Code A.1624 415, Electricity, and Mr. Lamy apprised that this portion of the Report referred to the electricity usage in the Health and Human Services Building and would be addressed at the next County Facilities Committee meeting.

As there were no further questions relating to the Budget Performance Report, Mr. Lamy moved on to the next agenda item which consisted of a request for a Local Law modifying the residency requirements for the Deputy Superintendent of Public Works position. He apprised that upon his retirement, Jeffery Tennyson, Deputy Superintendent of Public Works, would assume the Superintendent position and intended to appoint Kevin Hajos, Senior Civil Engineer, as Deputy Superintendent. Mr. Lamy explained that Mr. Hajos currently resided in Clifton Park, NY and intended to sell his home and move to Warren County; however, he said, it was the recommendation of the County Attorney's Office that the residency requirements associated with the position be amended to allow Mr. Hajos a one-year period to sell his home and move to Warren County.

Motion was made by Mr. Stec, seconded by Mr. McCoy and carried unanimously to approve the request for a Local Law modifying residency requirements for the Deputy Superintendent of Public Works position and the necessary resolution was authorized for the August 20th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy advised the next item, referring to a request to backfill an Auto Mechanic position, was included on the agenda at Mr. Belden's request. He reminded the Committee that although the request to fill the position had initially been approved by both the Public Works Committee and the full Board of Supervisors in June, this approval had been revoked by a subsequent resolution adopted at the July 16th Board meeting, as Mr. Dusek had requested that the DPW Machinery Shop operations be reviewed and a determination made as to whether work was being completed in the most efficient manner possible before filling the position. Mr. Lamy said that since he had been unable to provide the information on his analysis until the prior afternoon, he was unsure whether Mr. Dusek had

been able to review it and make a determination on the position; *a copy of Mr. Lamy's analysis was included in the agenda packet and is on file with the minutes.*

Mr. Belden apprised that he had contacted the supervisor of the DPW Machinery Shop who had indicated that the Auto Mechanic position was very important to Shop operations and the vacancy was creating considerable delays for necessary work. He stated his feeling that the position should be filled in order to ensure that all repair work was being completed in a timely manner. Mr. Dusek responded that he had reviewed the information provided by Mr. Lamy and while the analysis had covered the duties of the Auto Mechanic position and explained why the Auto Mechanic Helper position could not complete them, it did not evaluate or mention the total number of Auto Mechanic positions on staff. Mr. Lamy interjected that he had provided this information at a prior Committee meeting and was unaware that it should have been repeated in this analysis. Mr. Dusek replied that this information was important to the analysis as it indicated the workload associated with each position. He said he had requested an informational report outlining the duties of each position on a day-to-day basis, as well as how the workload compared to those found in other municipal and private sectors. Mr. Dusek stated that while he appreciated Mr. Belden's indications that the position should be filled to avoid work delays within the Shop, he maintained his opinion that it was difficult to determine whether the position was necessary based on the incomplete analysis information received. He said that he was willing to work with Messrs. Lamy and Tennyson to further develop the report in order to make a definitive decision, but noted that he would be remiss in his duties if he ruled in favor of filling the position without first determining its level of necessity.

Mr. Merlino entered the meeting at 9:59 a.m.

Subsequent to further discussion on the matter, motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to approve the request to fill the vacant position of Auto Mechanic, with a base salary to be determined, pending further review and approval by the County Administrator, and refer same to the Personnel Committee.

Mr. Stec left the meeting at 10:05 a.m.

Resuming the agenda review, Mr. Tennyson circulated a number of pictures reflecting DPW projects being completed throughout the County, copies of which are on file with the minutes, and proceeded to provide a brief narrative on each for the Committee's benefit.

Proceeding to the Items of Interest section of the agenda, Mr. Tennyson reminded the Committee that during their prior meeting they had approved a request to amend Resolution No. 381 of 2010 to decrease Supplemental Agreement #6 with Clough, Harbour and Associates, LLP (CHA) by \$50,000 to remove services associated with condemnation actions which could not be provided due to an insurance issue. He advised that subsequent to the meeting this request had been withdrawn as Mr. Dusek had discussed the matter with CHA representatives and reached a determination allowing the services to be provided by CHA as originally intended. Mr. Tennyson advised that no Committee action was required in connection with this matter and that the update was being provided for informational purposes only.

Mr. Tennyson announced that the next Item of Interest referred to the closure of the Market Street Bridge located in the Town of Horicon. He explained an accident occurring on the Bridge had caused guide rail damage extensive enough to warrant closure of the bridge. Mr. Tennyson said this was an unanticipated closure and luckily a very short detour route was available to area travelers. He noted that although they had yet to perform a thorough evaluation of the damage to determine the feasibility of repairs, their initial inclination was that replacement would

be required. Mr. Tennyson advised they would be reviewing the options available and seeking funding to either repair or replace the bridge; he added it was his understanding the Town of Horicon intended to develop the Market Street area which might have required future replacement.

Concluding the agenda review, Mr. Lamy addressed the listing of items pending from prior Committee meetings which consisted of only one item, pertaining to the Stormwater Officer position, on which he said he had no new information to report.

Mr. Belden noted that an executive session was necessary to discuss matters leading to the possible discipline of a particular employee.

Motion was made by Mr. McCoy, seconded by Mr. Conover and carried unanimously to enter into executive session pursuant to Section 105(f) of the Public Officers Law.

Executive session was held from 10:17 a.m. to 10:51 a.m., during which Mr. Stec re-entered the meeting, accompanied by Chairman Monroe.

Upon reconvening, Mr. Belden announced that no Committee action was necessary pursuant to the executive session.

There being no further DPW business to discuss, privilege of the floor was extended to Mr. Lamy to begin the Solid Waste & Recycling portion of the meeting. Copies of the meeting agenda were distributed to the Committee members and a copy is also on file with the minutes.

As there were no referral items to address, Mr. Lamy announced the agenda review would begin with New Business Item 2, Household Hazardous Waste. He noted there had been a considerable amount of interest raised relative to the issue recently, due in part to an article that had appeared in the July 21, 2010 edition of *The Post Star*, a copy of which was included in the agenda and is on file with the minutes. Additionally, Mr. Lamy noted, the agenda included copies of the resolutions received from the Towns of Hague and Lake George asking that the County review the ways in which household hazardous waste products were disposed of by residents.

Because the County was currently under contract with R.S. Lynch & Co. to update the Solid Waste Management Plan, Mr. Lamy said he had contacted the firm in order to obtain a better understanding of what measures would be included in the Plan relating to disposal of household hazardous waste. He said he had been advised by R.S. Lynch & Co. that, based on the scope of services previously approved, the Plan would provide minimal language on the matter and would serve as a starting point to determine whether the issue should be addressed at the town level or through coordinated efforts at the County level. Mr. Lamy noted that Chris Navitsky, Lake George Waterkeeper, was in attendance and wished to address the Committee with respect to the matter.

Mr. Navitsky began by thanking the Committee for the opportunity to discuss the matter. He apprised that his office had received a number of calls over the past years from citizens seeking sites to dispose of household hazardous waste, and thus far, they have never been able to provide such information, regardless of inquiries made with NYSDEC (New York State Department of Environmental Conservation), the County or the towns. Mr. Navitsky stated that these disposal concerns had intensified upon the detection of a paint flume in Lake George resulting from someone cleaning paint cans in a storm drain which led to a stream and then into the Lake. Mr. Navitsky apprised there were three major issues associated with the lack of hazardous household waste disposal measures, which he outlined as follows:

1. Non-point source pollution. Mr. Navitsky advised that this could cause water quality issues as residents were likely to dispose of household hazardous waste in improper manners if appropriate disposal procedures were not in place, which could include dumping in septic systems, municipal sewers or on the ground, resulting in pollution and water quality problems;
2. Human health. Without proper disposal procedures in place, Mr. Navitsky said waste matter was typically stored in homes; he added that estimates provided by the USEPA (United State Environmental Protection Agency) indicated that about 100 pounds of household hazardous waste products was stored in the typical American home, which could become a human health issue; and
3. Lack of disposal measures. Mr. Navitsky stated this was the most pressing issue as there was no information available for residents seeking direction. He said he felt the County and towns could rectify this problem by developing proper disposal procedures and relaying them to the public. Mr. Navitsky advised they had approached the Town of Queensbury and the Village of Lake George, as well as the Towns of Hague and Lake George which had passed resolutions with respect to the matter, to discuss conceptual ideas to address this issue. He added that due to the level of support received, they felt it was appropriate timing to address the issue at the County level.

Mr. Navitsky stated that he did not feel household hazardous waste disposal required year-round collection, but could be facilitated by a scheduled "collection day". He said there would be costs associated with the collection initiative and in discussion with Mr. Lamy had determined that similar past events had incurred totals in the range of \$15,000 to \$20,000; he added that he did not feel this cost should be borne entirely by the County and that a user fee could be implemented which many residents would be willing to pay in order to properly dispose of the household hazardous waste being stored in their homes. Mr. Navitsky further noted that there were NYSDEC grants available which might be accessible to assist with these costs and he would be willing to work with the towns and the County to develop a grant program to gain financial support from NYSDEC and other not-for-profit agencies. He noted that another component of this effort was education programming to assist homeowners in providing information on items purchased which would be considered household hazardous waste and their level of necessity. Finally, Mr. Navitsky introduced the idea of a donation program where residents could give away unwanted items such as paint and pesticides to other residents or organizations seeking them, rather than paying for disposal of usable substances.

Mr. Loeb agreed with Mr. Navitsky's ideas, but noted that a collection day event might cause a burden to the facilitating municipality as non-residents may see this as an opportunity to dispose of their waste, thereby causing additional burden and costs to the community hosting the collection event.

Mr. Stec noted that within the past eight years the Town of Queensbury had applied for and received two NYSDEC matching grants in the neighborhood of \$20,000 each for one-day collection events, a considerable amount of which was used for advertising purposes. He said both events had been free to Queensbury residents and there had been a much better turnout for the first event than the second, due to the fact that residents had collected a considerable volume of items to be disposed of which were collected in the initial pick-up event, leading to lesser volume for the second. Mr. Stec said that the collection event had required residents to bring their disposables to a certain site where items were separated and placed in certain locations as directed. He added that one of the measures taken to avoid dumping by non-residents was to require identification proving Queensbury residency before entering the collection site. Mr. Stec stated he was in favor of resurrecting some sort of event along these lines as there was a need for disposal procedures which was not being met; however, he said, he felt that the measure should be implemented on a larger scale and that fees should be instituted to assist with disposal and advertising costs. He said that he agreed with Mr. Navitsky's suggestions to seek out funding opportunities available through not-for-profit agencies, but noted it was his understanding that the NYSDEC grant funding previously accessed by the Town of Queensbury was no longer available. Mr. Stec opined that this issue should be addressed on a County-wide basis

through the Solid Waste Management Plan or possibly other mechanisms such as the Lake George Watershed Coalition. He concluded that although the Town of Queensbury was not typically involved in adopting supporting resolutions, he felt confident in stating they would be introducing a resolution similar to those adopted by the Towns of Hague and Lake George seeking a solution for the disposal of household hazardous waste products.

Following further discussion on the matter, motion was made by Mr. Conover, seconded by Mr. Loeb and carried unanimously to request that R.S. Lynch & Co. investigate this issue further for inclusion in the Solid Waste Management Plan.

Concluding the agenda review, Mr. Lamy addressed Item 3, Waste Management Inventory. He announced that as part of the Inventory process the Public Works Department was responsible for keeping track of all containers and equipment located at the different town transfer stations and certify that the items were actually in service; he added that this information was then used by the County Treasurer's Office to satisfy reports produced by the Contract Auditor. Mr. Lamy advised that as the supervisory personnel with his Department changed, the newly appointed Director of Operations, Todd Beadnell, had recommended changes to the inventory procedure which were shared with Mr. Dusek who had indicated that they should be reviewed with the Committee before implementation. He proceeded to read aloud a memo he had received from Mr. Beadnell recommending that the asset list be limited to trailers, refuse and roll-off containers, and that all self-dumping hoppers and the 1.1 cubic yard tilt trucks leased by Perkins Recycling be removed from the asset list, as well as the plastic push carts used at the municipal transfer stations, thereby including only those items actually under the County's control in the final inventory documents. Mr. Lamy stated that Committee input was necessary to clarify how the asset list should be maintained in order to satisfy the demands of the Treasurer's Office.

Mr. Champagne opined that for insurance and inventory purposes, any equipment purchased by the County should be accounted for through an asset inventory, regardless of who it was being used by. Mr. Dusek confirmed Mr. Champagne's statement and noted the recommendations made by Mr. Beadnell suggested ownership of the items in the custody of the towns be transferred to them, as well as responsibility for upkeep and repairs, leaving the County with the responsibility of maintaining and accounting for only those items under their control. He explained that a resolution could be adopted to convey assets to the towns, provided that it was found to be in the County's best interest. Mr. Bentley noted that if the towns assumed ownership for this equipment, they would no longer have access to repair services as this was previously provided by the County and Mr. Dusek responded that the towns could contract with the County to continue maintenance work.

Mr. Loeb questioned how long these inventory items had been in service and Mr. Lamy replied that they had been purchased approximately 10 to 12 years ago. Mr. Lamy added that the question was whether the Public Works Department should continue to assume inventory responsibility for assets that were not within their daily supervision.

Discussion ensued.

It was the consensus of the Committee that further review was necessary to make a determination on the matter and that Messrs. Lamy and Tennyson should work with Mr. Dusek to develop a more definitive proposal, including an itemized list of assets and their location, which will then be sent to the towns for their review and approval.

Mr. Champagne pointed out that the sign for the Municipal Center had yet to be erected and Mr. Lamy replied that this issue was scheduled to be discussed at the next County Facilities Committee meeting.

Mr. Merlino distributed copies of a brochure highlighting the 2010 Adirondack Wilderness Train Corridor, a copy of which is on file with the minutes. He noted that the Towns of Corinth, Hadley, Lake Luzerne, Warrensburg, Stony Creek and Thurman had each contributed funds to jointly produce the brochure which outlined train service to the southern end of the rail line. Mr. Merlino advised that the train service had started on July 14th with 42 riders and the ridership figures had increased to 45 riders for the July 17th excursion, 50 riders for July 21st and 67 for July 24th.

Mr. Belden announced that this was Mr. Lamy's final Committee meeting as Superintendent of Public Works and he thanked him for his service to the County. He said Mr. Lamy would be missed and he wished him the best in his impending retirement; the Committee members echoed Mr. Belden's sentiments. Mr. Lamy responded that he appreciated the opportunity to serve as Superintendent of Public Works, as well as the assistance provided to himself and the Department, and would look back on his tenure fondly.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Stec and seconded by Mr. Bentley, Mr. Belden adjourned the meeting at 11:32 a.m.

Respectfully submitted,
Amanda Allen, Sr. Legislative Office Specialist