

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: DPW

DATE: FEBRUARY 27, 2007

Committee Members Present:

Supervisors Belden
Bentley
Haskell
Mason
Stec
Geraghty
Merlino

Others Present:

William Lamy, DPW Superintendent
William Thomas, Chairman
Joan Sady, Clerk of the Board
Paul Dusek, County Attorney
Hal Payne, Administrator, Westmount
Health Facility
Todd Lunt, Human Resources Director
Supervisor F. Thomas
Supervisor Caimano
Supervisor Champagne
JoAnn McKinstry, Confidential Secretary to
the Commissioner of Administrative
and Fiscal Services
Nicole Livingston, Deputy Clerk

Mr. Belden called the meeting to order at 9:30 a.m.

Motion was made by Mr. Geraghty, seconded by Mr. Merlino, and carried unanimously to approve the minutes of the January 31, 2007 meeting, subject to correction by the Clerk.

Privilege of the floor was extended to William Lamy, Superintendent of DPW, who distributed copies of his agenda to the Committee, a copy of which is on file with the minutes.

Commencing with the first item on the Agenda, Mr. Lamy apprised he had a resolution request to award contracts to the low bidders for Bituminous Concrete (WC 19-07). He noted there were a number of vendors for different locations and asphalt type. He added that the award recommendation letter for the various project sites was included in the Agenda packet.

Motion was made by Mr. Mason, seconded by Mr. Bentley and carried unanimously to approve the request to award contracts to the low bidders for Bituminous Concrete (WC 19-07) as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. F. Thomas entered the meeting at 9:33 a.m.

Mr. Lamy stated the next item on the Agenda was an informational letter from the New York State Department of Transportation (NYS DOT) discussing their resurfacing of the Adirondack Northway between Exits 24 and 26. He said no action was necessary by the Committee.

Continuing, Mr. Lamy expounded the next item on the Agenda was to extend an existing contract for Pickup Sweeping Equipment Rental (WC 41-05) and he noted it did not require a resolution, only approval of the Committee. (Please note: The authorization to renew these contracts falls under the provisions of Resolution No. 229 of 2005.)

Motion was made by Mr. Stec, seconded by Mr. Bentley and carried unanimously to approve the extension of the contract as outlined above.

Mr. Lamy said the next item on the Agenda was a resolution request for a new contract with R.F. Gordon Mechanical, Inc. for plumbing repairs, rehabilitation and installation. He stated this was a result of a bid (WC 93-06) and would commence on March 16, 2007 and terminate on December 31, 2007.

Motion was made by Mr. Bentley, seconded by Mr. Geraghty and carried unanimously to approve the request for a new contract with R.F. Gordon Mechanical, Inc. as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Lamy advised the next item on the Agenda was a resolution request for an amendment to the Master Agreement for the Padanarum Road Bridge, to include the construction cost and construction inspection. He referred to page 12 in the packet and stated that PIN # 1757.18.321 was a designation for construction and there was \$493,000 being added to the construction budget, with the Federal Funds totaling \$394,400. He noted that at this time, the 15% match of the State Funding through Marchiselli had not been indicated; however, he expected that those funds would follow at a later date. He further explained that with these projects, Warren County provided the funds and then sought reimbursement.

Motion was made by Mr. Bentley and seconded by Mr. Mason to approve the request as outlined above.

Mr. Belden questioned if the County share was included in the 2007 budget and Mr. Lamy replied he had spoken with Joan Parsons, Commissioner of Administrative and Fiscal Services, and they had determined the majority of the money was in the 2007 budget, specifically in the General Fund under Transfers Capital Projects (A.9950.910) and he would request that the County share be transferred from that account.

Following discussions, Mr. Belden called the question and the motion was carried

unanimously to approve the request for an amendment to the Master Agreement with NYS DOT for the Padanarum Road Bridge as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Lamy stated the next item on the Agenda was a resolution request to amend an existing contract with Creighton Manning Engineering, LLP, to add \$53,000 to the original contract amount of \$125,500, totaling a new balance of \$178,500, for inspection services that were necessary during construction.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request to amend the existing contract with Creighton Manning Engineering, LLP as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. W. Thomas entered the meeting at 9:49 a.m.

Continuing the Agenda review, Mr. Lamy expounded he had a resolution request to increase Capital Project H257.9550 280- Padanarum Road Bridge Over NW Bay Brook, in the amount of \$493,000, to include the construction costs. He added that the local share was \$98,000, which he was requesting to be transferred from the General Fund under Transfers Capital Projects (A.9950.910).

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request to increase Capital Project H257.9550 280- Padanarum Road Bridge Over NW Bay Brook as outlined above and to refer the same to the Finance Committee. A copy of the resolution request form is on file with the minutes.

Mr. Lamy said he had a resolution request to modify Resolution No. 837 of 2006, to add a section to authorize the Chairman of the Board of Supervisors to sign a letter from R.K. Hite, dated January 17, 2007, indicating amounts for just compensation for the affected properties on the Corinth Road-Main Street-Broad Street reconstruction project.

Motion was made by Mr. Mason, seconded by Mr. Stec and carried unanimously to approve the modification to Resolution No. 837 of 2006 as outlined above and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Lamy stated the next item on the Agenda was a resolution request to amend an existing contract with Creighton Manning Engineering, LLP, to include the additional cost of \$7,500 for survey work on the Haviland-Meadowbrook Road realignment. He noted the money was included in the Haviland-Meadowbrook Road CR 17 Fund (D.5112-8100.2).

Motion was made by Mr. Stec, seconded by Mr. Geraghty and carried unanimously to approve the request to amend the existing contract with Creighton Manning Engineering, LLP as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Lamy advised the next item was not included in the Agenda packet; however he wanted to bring it to the Committee members attention. He said that Warren County would be hosting the New York State Fire Chiefs Convention again this year in the Village of Lake George. He added that a request had been made for DPW to provide traffic control during the Convention. He noted it could put the Department in an overtime situation and funds would need to be expended.

Motion was made by Mr. Haskell and seconded by Mr. Mason to authorize Mr. Lamy to take the appropriate action to determine who was responsible for traffic control during an event such as this.

Paul Dusek, County Attorney, expounded that the DPW had no authority to direct traffic at all; however, he added, the DPW could, at the direction of another Law Enforcement Agency, bring in equipment, such as barrels, to assist in traffic control. He added it would be up to the organizers of the Convention to obtain the proper permits to block off roads, if needed.

Mr. Haskell amended his motion to only authorize the DPW to assist in traffic control by bringing in equipment if necessary. Mr. Mason seconded the amended motion.

Mr. Belden called the question and the motion was carried unanimously to authorize the DPW to bring in equipment to assist with traffic control during the Fire Chief's Convention, if needed.

Referring to page 25 in the Agenda packet, Mr. Lamy said he had included a copy of a letter sent by the Chairman of the Board of Supervisors to the Regional Director of the NYS DOT. He noted the letter was regarding the traffic problem on Route 9, Route 149 and Exit 20 off the Adirondack Northway. He added that DOT responded that they would be looking into the problems.

Continuing, Mr. Lamy directed the Committee members attention to page 26 in the packet, which was a map of the southern end of Lake George. He explained he had discussed with DOT and the New York State Department of Environmental Conservation (NYS DEC), the possibility of incorporating DEC into the County's Beach Road Project. He noted that DPW was beginning a new Capital Project that was funded through State and Federal funds, to improve Beach Road in the Village of Lake George. He added that DEC owned approximately as much of Beach Road as the County did. He said the discussions held with DOT were to determine if Federal funding could be available for the State-owned portion of the Beach Road, to which they discovered the

answer was yes, funding could be made available.

Mr. Lamy further elaborated to the steps that would need to be taken prior to this project commencing. Discussion ensued regarding reconstruction of the Beach Road.

Mr. Lamy explained he needed to know if the Committee wanted the DPW to move ahead with the project, trying to administer it in conjunction with cooperation from the State or if they wanted DPW to reconstruct only the County owned portions of the Road.

Motion was made by Mr. Haskell and seconded by Mr. Geraghty to move ahead with the project, trying to administer it in conjunction with cooperation from the State.

Mr. Bentley stated he did not think that DEC owned that portion of the Road, he believed it belonged to the County. He suggested having Mr. Dusek research the issue.

Following discussions, Mr. Belden called the question and the motion was carried unanimously to authorize Mr. Lamy to take the necessary actions in order to administer the Beach Road Reconstruction project in conjunction with the DEC.

Returning to the Agenda review, Mr. Lamy referred the Committee's attention to page 27 in packet, which was a copy of the new Travel Policy. He said he was asking for clarification from the Committee with regard to Section B.- Travel Approval Required, in which it stated that "Each supervisory committee shall review and approve *all* travel requests, both in-state and out-of-state." He questioned if he needed to get approval when he and his staff made daily trips to perform their normal duties, such as to the Capital District.

Mr. Dusek stated that although he did not write this policy, he believed it pertained to when funds were being expended for overnight stays and such. He further recommended that the policy be referred back to the Committee that it originated from in order to clarify that the policy did not include daily trips that were pertinent for the course of business.

Motion was made by Mr. Geraghty, seconded by Mr. Bentley and carried unanimously to refer the Travel Policy back to the Committee that developed it for further clarification.

Mr. Caimano entered the meeting at 10:12 a.m.

Mr. Lamy apprised the next item he needed to address was that the County Auditor had requested him to provide a paper trail on how meals for the workforce were paid for. He explained that the policy that had been in effect for several years was that when the workforce was performing overtime for snow and ice, they were given an allotment for meals during that time frame. He noted that there were participating food service establishments where employees could sign for their purchases and when the

slips were received, the County paid for them. He further explained that there were times when it was more practical to buy sandwich meat and bread and allow the employees to make their own sandwiches, rather than going to a diner. He said that the Auditor had asked him to make this an approved procedure; therefore, he was requesting that his Department be permitted to purchase supplies and feed the workforce at their respective sites, in cases when it was appropriate.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request as outlined above, and the necessary resolution was authorized for the next board meeting.

Continuing, Mr. Lamy referred to page 28 in the Agenda packet, which was a list of issues he had been confronted with since last September. He said that when he took the position of Superintendent of DPW, the budget did not include any funds to resolve any of these issues listed on page 28. He reviewed in detail the list of unfunded projects for the 2007 budget.

Mr. Champagne entered the meeting at 10:21 a.m.

Concluding the Agenda review, Mr. Lamy reviewed the list of pending items that was provided by the Office of the Clerk of the Board. With regard to Item 4 on the list, Six-month review of the shop to be conducted, Mr. Lamy distributed an Annual Report for 2006 from the Automotive Maintenance Division, a copy of which is on file with the minutes.

Mr. Lamy expounded Item 9 on the pending items list, was regarding a RFP (Request for Proposal) for tree care services. He reminded the Committee members that at the last meeting he had been asked to verify the ownership of two pieces of equipment from Green Thumb Nursery, Inc. and he distributed pictures of those pieces of equipment, as well as a copy of the registration and a sale contract, for the Committee's review. He noted it was still his recommendation to award the tree services contract to Green Thumb Nursery, Inc., and he provided a resolution request for the same.

Motion was made by Mr. Bentley, seconded by Mr. Mason and carried unanimously to approve the request for a new contract with Green Thumb Nursery, Inc. as outlined above, and the necessary resolution was authorized for the next board meeting. A copy of the resolution request form is on file with the minutes.

Mr. Belden asked Mr. Dusek to inform the Committee of the issue regarding the parcel of property located in the Town of Horicon. Mr. Dusek explained a resolution had been authorized to convey certain property in the Town of Horicon that the County had purchased for road purposes several years ago that was no longer needed. He noted one problem was that taxes had been paid on the property for many years and the other problem was that the individuals now wanted to acquire the property.

Mr. Dusek further explained the first thing that needed to be done, was that the property owners needed to file forms from the Assessor's Office, claiming that there was an essential error and that they did own the property; thereby allowing them to apply for a refund for up to three years on any taxes they had paid. The second thing that needed to happen was that an appraisal of the property needed to be done prior to sale to the adjoining owners. He added that he had spoken with Teri Ross, Deputy Director of Real Property Tax Services, who advised that she could do an appraisal, which is what he was recommending.

Motion was made by Mr. Haskell, seconded by Mr. Merlino and carried unanimously to authorize Mr. Dusek to contact Ms. Ross in order to get the appraisal on the property completed.

Mr. W. Thomas informed the Committee that he attended a meeting with Robert Blais, Mayor of the Village of Lake George, Mr. Tessier and the environmental groups that were in the process of working on the Wood property in the Village. He said that the environmental groups would like to re-channel Westbrook back to its original stage in order for it to catch sediment before it dumped into Lake George.

Discussion ensued. Mr. Lamy stated that once all the environmental permits were obtained and approvals were in order, his workforce would be ready to assist in any way they could.

Mr. Haskell thanked Mr. Lamy and his crews for assistance with a problem in the Town of Thurman. He also mentioned that the issue of signs along County Roads had been brought up recently. Mr. Lamy responded that he was involved with that process.

Mr. Merlino thanked Mr. Lamy as well for his assistance in the Town of Lake Luzerne last week.

There being no further business before the Committee, on motion by Mr. Mason and seconded by Mr. Haskell, Mr. Belden adjourned the meeting at 10:43 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk