

WARREN COUNTY BOARD OF SUPERVISORS

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

DATE: AUGUST 31, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY
MERLINO
MONROE
CONOVER
WOOD
TAYLOR
FRASIER
DICKINSON
MASON

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS GIRARD
KENNY
THOMAS
VANSELOW
WESTCOTT
DAN BELDEN, TOWN OF HAGUE RESIDENT
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

Mr. Bentley called the meeting of the Public Works Committee to order at 9:54 a.m.

Motion was made by Mr. Conover, seconded by Mrs. Frasier 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 Jeffery Tennyson, Superintendent of Public Works, who distributed copies of both the DPW and Parks, Recreation & Railroad agendas to the Committee members. *Copies of both agendas are on file with the minutes.*

Commencing with the review of the DPW agenda, Mr. Tennyson presented the Overtime Report, which was included on agenda page 1, and the Fuel Reports which began on page 2. He pointed out that fuel expenses were currently about \$25,000 below budget. In response to a question posed by Mr. Dickinson, Mr. Tennyson apprised that contracts were secured to set fuel prices in accordance with those reported daily by the Journal of Commerce, dependent upon the motor fuel industry, and include a certain agreed upon fee per gallon charged by the vendor. He continued that upon accepting a fuel delivery, staff checked the Journal of Commerce rate to ensure the correct amount was being charged. Mr. Tennyson commented that the fuel pricing achieved through this process was less costly than commercial fuel rates.

Mr. Tennyson announced the next agenda item pertained to discussion on the West Brook Parking Lot construction. He apprised that the parking lot had been established and the pay stations installed, but noted that based on the progress of adjacent construction, they had not been able to proceed with the application of porous asphalt and did not intend to do so until the adjacent construction was complete in the spring of 2014 in order to avoid contamination of the surface. Mr. Tennyson said that if completion of the parking lot construction was desired sooner, they had the option of returning to the prior construction plans which included a conventional black top surface for the parking lot; however, he added, County dollars would have to be used to complete the work as the grant funding awarded was not applicable. Mr. Dickinson asked if an estimate had been prepared to indicate a cost for the construction work using conventional asphalt and Mr. Tennyson replied affirmatively, estimating a

cost of \$70,000 for materials with all work to be completed by DPW staff. Mr. Tennyson added that this figure did not include the cost of construction work already completed or the parking meters for which alternate funding had already been identified. He continued that he was unsure whether sufficient parking revenues could be raised within the first year of operation to offset the anticipated construction costs, primarily due to uncertainty surrounding the adjacent construction which may necessitate closure of sections of the parking lot to allow construction vehicles access to the former Gaslight Village property. Mr. Tennyson advised that original estimates had indicated the fully expanded parking lot had the potential to raise parking revenues of up to \$90,000 per year. Mr. Monroe said he thought the \$90,000 revenue figure was based on a parking rate of \$1 per hour and the parking rate settled upon had been \$2 per hour, which would raise the anticipated revenue figure commensurately to \$180,000, providing plenty of funding to offset the construction costs. Mr. Tennyson responded that he also recalled this might be the case, but would confirm the increase and return to the Committee to further discussion at their next meeting.

Mr. Merlino entered the meeting at 10:00 a.m.

Discussion ensued relative to the construction of the West Brook Parking Lot.

Resuming the agenda review, Mr. Tennyson directed the Committee members to agenda page 5 which reflected a copy of the email he had received from David Decker, Director of the Lake George Watershed Coalition, respective to the Valley Woods Road receivable. He explained the Valley Woods Road project had been completed in 2007 and the County had been awaiting final reimbursements on the project since; he added that according to Mr. Decker's email, it appeared that the County might receive the rest of the project funding during the upcoming fall season.

Mr. Tennyson announced the next agenda item pertained to the DEC (New York State Department of Environmental Conservation) Plowing MOU (Memorandum of Understanding) Status. He explained this was a document initially contemplated two years ago when the Town of Lake George had relinquished their contract for plowing County Roads, one of them being Beach Road, a section of which was owned by DEC. Mr. Tennyson advised that when servicing Beach Road, the Town had plowed the DEC section without having any type of MOU in place with the State organization. He further advised that upon resuming plowing services for Beach Road, the County had drafted an MOU and sent it to DEC for their review and approval and in the meantime, had continued the Town's practice of plowing the DEC section of road without a formal agreement. Mr. Tennyson advised that there was still no agreement in place and Martin Auffredou, County Attorney, had encouraged that the matter be resolved, reaching out to DEC to try and meet this end; he said they hoped to have an MOU in place before the upcoming winter season, but if not, he would seek direction from the Committee as to whether the County DPW crews should continue to plow the DEC portion of Beach Road without an MOU in place, or cease plowing that portion of the road altogether. Mr. Dickinson suggested that refraining from plowing the DEC portion of road would certainly send a clear message to the State and Mr. Tennyson agreed but noted that if this direction were taken, some type of barricades would be necessary to protect the County's liability which would not make area residents and business owners happy. He concluded that he would provide an update on the matter at the next Committee meeting. Mr. Monroe asked if a letter would be sent to DEC advising that the County intended to discontinue plowing their section of road and possibly barricade it if an MOU was not established and Mr. Tennyson responded that he had conveyed this intention to Gary West, of the DEC Operations and Recreation Office located in Warrensburg, NY, but he could not attest to whether Mr. West had relayed the message to other DEC officials. Mr. Tennyson said he assumed that if a response was not received by the next Committee meeting, a letter making such advisements would be forwarded to DEC officials.

Continuing to agenda page 6, Mr. Tennyson presented a request for himself to attend the NYSAC (New York State

Association of Counties) Fall Conference - Transportation Committee Meeting in Liverpool, NY on September 12th.

Motion was made by Mr. Conover, seconded by Mrs. Wood and carried unanimously to approve the travel request as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. Tennyson advised agenda page 8 included a request to fill the vacant position of HEO (Heavy Equipment Operator) #3, annual salary of \$30,230, within the Highway Division due to retirement, as well as to fill any vacancies resulting from promotion. He said he had discussed the vacancy with Paul Dusek, County Administrator, who had indicated he was not opposed to the action. Mrs. Wood questioned whether filling the position would result in any type of savings to the County and Mr. Tennyson replied affirmatively, noting that the person retiring had more longevity credit than the person being promoted would, achieving a small savings to the County which would not be known until the person to be promoted was identified. In response to Mr. Conover's inquiry, Mr. Dusek advised he had reviewed Mr. Tennyson's request and in light of the significant reductions made to the DPW over the years, he could not in good conscience refrain from approving it. He said he and Mr. Tennyson had reviewed the DPW organizational charts on many occasions but had always determined that the staffing was currently so lean that it could not be reduced further without affecting the level of service provided or the way in which the Department was operated. Mr. Tennyson advised that as vacancies occurred, they had also reviewed titles and associated duties to determine whether a lesser, and lower paid, title could sustain the duties. He added that while this effort had proven effective in some areas, in this case, the HEO title was critical to maintain the Department's current level of service.

Motion was made by Mr. Taylor, seconded by Mrs. Wood and carried unanimously to approve the aforementioned request and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Kevin Hajos, Deputy Superintendent of Public Works, addressed the Items of Interest section of the agenda, as follows:

- * Beach Road Reconstruction - Mr. Hajos advised the drainage and underground utility work for the east end of Beach Road had been completed and they were now installing the base course, curbing and sidewalk work with final paving for that area to begin the week of September 10th. He circulated photos of the ongoing Beach Road construction and West Brook culvert work, copies of which are on file with the minutes. Referring to the West Brook culvert work, Mr. Hajos said a portion of the culvert had been installed and they were now working on the retaining wall around the culvert area; he added that construction of the remaining portion of the culvert, which extended beneath Beach Road, would begin on September 10th, as well. Mr. Hajos reminded the Committee members that porous pavement applications would be used for the Beach Road reconstruction and he advised a test strip of this surface would be applied at the Warrensburg DPW Garage to determine compaction requirements. He advised the work to apply the test strip would begin on September 5th with excavation work and installation of a recharge basin, followed by application of the base course of pavement which would have to sit for 24 hours before the top course of pavement could be added. Mr. Hajos advised this would be a permanent application and he invited anyone interested in the process to visit the DPW Garage to see it. Finally, he noted the remaining portion of Beach Road, which was the west end stretching from Canada Street to Fort George Road would be addressed with drainage work tentatively set to begin the week of September 17th.

Referring to the easterly section of Beach Road located near the Garrison Restaurant, Mr. Dickinson said it appeared the roadway had been lowered by about 18" and he questioned why this was done. Mr. Hajos responded that the

roadbed had been lowered to provide proper drainage facilities and a better transition back to State Route 9L for increased sight allowances, although not to the extent cited by Mr. Dickinson. He said he believed that once the final course of pavement was installed the difference in elevation would be 6" - 8" and proper tie-ins would be installed for each driveway in that area. A brief discussion ensued.

- * Lanfear Road Bridge Rehabilitation - Mr. Hajos advised NYSDOT had completed their review of the engineering plans for the rehabilitation project and provided authorization for the County to advertise bids for the construction work; he added that advertisements had been placed and a bid opening was scheduled for September 19th. Mr. Hajos explained the rehabilitation work included asbestos abatement, as well as steel repairs and painting and he said they anticipated the project would be completed within 2012.
- * Glen Athol Road Paving - Photos of Glen Athol Road reflecting the ongoing paving work were circulated; *copies of the photos are on file with the minutes*. Mr. Hajos advised that two-thirds of the road had been paved on the prior day and the rest was being paved that day.
- * Haviland Road Paving - Photos of the paving work completed for Haviland Road were circulated; *copies of the photos are on file with the minutes*. Mr. Hajos said the paving and shoulder work had been completed and the striping would be applied at the end of the paving season so that all of the road painting was done at the same time.
- * Landon Hill Road Paving - Photos of ongoing work being completed on Landon Hill Road were circulated; *copies of the photos are on file with the minutes*. Mr. Hajos apprised that binder course pavement had been applied on Landon Hill Road and he estimated that the top course pavement would be applied by the end of the next week.

Mr. Tennyson noted that only part of Haviland Road had been paved and they had received some inquiries as to when the remainder would be addressed. He said funding constraints had prevented the entire road from being paved and he noted that they intended to incorporate paving for the remainder of Haviland Road under grant funded projects for 2013 or 2014.

Mrs. Wood noted Washington County representatives had raised concerns regarding draft guidance proposed by the EPA (Environmental Protection Agency) for identifying waters protected by the Clean Water Act and she questioned whether Warren County's DPW operations would be affected by these proposals. Mr. Tennyson replied affirmatively, noting that certain Federal Aid projects would be impacted. He apologized for not introducing the topic earlier, but said he had been in contact with the Washington County Department of Public Works and requested a copy of the resolution they had approved stating their opposition. Mr. Tennyson commented that the proposed changes would essentially classify a puddle able to hold water for four or more hours as navigatable and subject to protection by the Clean Water Act, a concept he found to be ridiculous. He noted that in the past, when working on two bridge projects in the Town of Stony Creek, these types of regulations had made the work very difficult as the Army Corps of Engineers had classified Stony Creek itself as a Federally significant and navigatable waterway, which was not the case as only kayaks could travel in certain areas of the Creek when the water was very high. Mr. Tennyson opined that this was a step in the wrong direction as far as changes to the definition of a navigatable waterway and he said he would prefer the definition be altered to include waterways which had significant recreational use based on a certain frequency or if there was a commercial use or fishing access. Mr. Tennyson stated that the EPA's response time for projects was already slow and the increased regulations proposed would only delay the process further. He said he would likely seek a resolution opposing this action and hoped to gather the necessary supporting documentation prior to the September 21st Board meeting. Mr. Monroe stated that these updated regulations would have implications beyond the various municipal Public Works Departments and would also affect private landowners and he suggested that the issue be referred to the Legislative Committee for

action, as well as to the County Attorney for research as to the current status of the regulations.

It was the consensus of the Committee that the issue of the Clean Water Act draft guidance revisions proposed by the EPA should be referred to the Legislative Committee, as well as to the County Attorney for further review.

Concluding the DPW agenda review, Mr. Tennyson advised there were no Referral or Pending Items to address.

Proceeding with the review of the Parks, Recreation & Railroad agenda, Mr. Tennyson presented a request to accept a donation of \$1,800 to the Up Yonda Farm Environmental Education Center from Daniel R. Lewis and authorize the Chairman of the Board to send a letter of gratitude and appreciation to Mr. Lewis on behalf of the Warren County Board of Supervisors for his generous donation.

Motion was made by Mr. Conover, seconded by Mrs. Wood and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the September 21st Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson circulated photos of the new production pond being constructed at the Warren County Fish Hatchery to replace the former Pond 11 which would eventually be decommissioned and removed; *a copy of the photo is on file with the minutes.*

There being no further business to come before the Public Works Committee, on motion made by Mr. Conover and seconded by Mr. Dickinson, Mr. Bentley adjourned the meeting at 10:30 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board