

WARREN COUNTY BOARD OF SUPERVISORS

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

DATE: OCTOBER 2, 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 BUTLER, DIRECTOR, PARKS, RECREATION & RAILROAD
DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS KENNY
LOEB
THOMAS
JULIE PACYNA, PURCHASING AGENT
MIKE SWAN, COUNTY TREASURER
MARTHA STRODEL, WARREN COUNTY HISTORICAL SOCIETY
JOHN STROUGH, QUEENSBURY TOWN COUNCILMAN
DON LEHMAN, *THE POST STAR*
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

Mr. Bentley called the meeting of the Public Works Committee to order at 10:04 a.m.

Motion was made by Mr. Mason, 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 Paul Butler, Director of Parks, Recreation & Railroad, who distributed copies of his agenda to the Committee members, a copy of which is also on file with the minutes.

Commencing the agenda review, Mr. Butler noted that the first item listed pertained to an update on the Saratoga North Creek Railway (SNCR), but advised that because Steve Torrico, SNCR General Manager, was not in attendance, the item would not be addressed. Moving on, he presented a request for authorization to waive the \$150 per day usage and \$.50 per ticket entrance fees associated with the Warren County Fairgrounds property for the Warren County Historical Society's Rural Heritage Festival & Youth Fair scheduled for August 10, 2013. Mr. Butler advised that a similar resolution had been approved for the Historical Society's 2012 event.

Motion was made by Mr. Mason, seconded by Mr. Dickinson and carried unanimously to approve the aforementioned request and the necessary resolution was authorized for the October 19th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler advised the next agenda item referred to a review of a survey map and invoice for the Warren County Fairgrounds property and he asked Paul Dusek, County Administrator, to comment on the matter. Mr. Dusek reminded the Committee members that in the past there had been some discussion about seeking special State Legislation to enable the sale of the Fairgrounds property to Epic Development who was the highest responding bidder for the property. He continued that while making their unsuccessful bid for the special Legislation, Dick

Emerson, of Epic Development, had commissioned a survey of the property which he was now interested in selling to the County; Mr. Dusek added that the cost of the survey was \$4,543.

Jeffery Tennyson, Superintendent of Public Works, noted that the survey fee was in line with the amount the County would have paid for the same work if they had used the surveyor currently under contract, but he said he questioned whether there was any need for the County to purchase the document as a survey was only necessary if they were going to build on the property, which he did not believe would be happening in the near future. Additionally, Mr. Tennyson pointed out that the survey document indicated the iron rods were "set/to be set" and he questioned which was the case.

Mr. Dickinson asked if they were able to make a counteroffer for the survey documents and Mr. Dusek replied that the matter was up for consideration and the Committee could either return an offer for purchase or decline. Mr. Taylor commented that because there was no current need for survey documents, and any future construction would require an updated survey, he did not believe the County should entertain the offer and Mr. Mason agreed. In response to a question posed by Mr. Taylor, Mr. Dusek advised the County was not obligated to purchase the survey documents and had not requested that a survey be completed; he added that the prospective buyer had commissioned the survey in anticipation of requirements associated with the special State Legislation being sought, which had not been granted. Mr. Monroe advised this action would have been part of the special State Legislation process, had it been approved, and since he believed the document might be of value to the County in the future, he believed they should make an offer to pay half of the costs identified to purchase the survey documents. Mr. Tennyson advised that if they were going to make an offer, he would include a contingency that would require both hard and digital copies of the survey documents be provided.

Motion was made by Mr. Monroe, seconded by Mr. Dickinson and carried unanimously to authorize an offer to purchase the survey documents for half of the \$4,543 survey costs identified, contingent upon the iron rods having been set and both hard and digital copies of the document being provided, and the necessary resolution was authorized for the October 19th Board meeting. *A copy of the request is on file with the minutes.*

Proceeding with the agenda review, Mr. Butler addressed the Items of Interest section, as follows:

- * New Pond Construction - Mr. Butler circulated photos of the new Pond 11, construction of which was now complete. He explained that his staff had worked on the project for most of the summer, staging work when they were available. Mr. Butler further explained the new Pond had an updated water flow system that included repaired piping and eliminated the old distribution box, alleviating issues with leaking or back pressure; he added that the new pond also had a bottom drain which allowed a healthier living environment for the fish and incorporated a shallower pool which was safer and easier for staff to clean. Mr. Conover commended Mr. Butler and his staff for the exemplary work they had done on this project.
- * Salmon Stocking - Mr. Butler displayed a photo of one of the landlocked salmon to be stocked in Lake George later that week. He pointed out that the average length of the salmon being stocked was 9.075" and explained the New York State Department of Environmental Conservation (NYSDEC) had provided the fish to the Warren County Fish Hatchery earlier in the year with the hopes that they would be given the opportunity to grow larger before being released into local waterways. Mr. Butler advised the opportunity to grow larger fish before stocking was preferable because smaller fish were more susceptible to their natural predators. He stated that NYSDEC had organized boats that would be used to stock both the northern and southern ends of Lake George on October 3rd and 4th.
- * Ramp Constructed at Up Yonda Environmental Center - A new ADA (Americans with Disabilities Act)

rated ramp had been constructed at Up Yonda, Mr. Butler advised and he circulated photos of the completed structure. He said the total project cost was about \$3,000 for materials and advised that the engineering work had been provided by the DPW Division and the ramp construction by the Parks, Recreation & Railroad Division staff. Mr. Butler noted requests for reimbursement would be submitted to the Up Yonda Trust for the materials costs.

- * Protective Slurry Seal on Bikeway - Mr. Tennyson reminded the Committee that when they had decided to allow snowmobiles to travel on a portion of the Bikeway they had decided to apply a slurry seal to protect the paved surface of the Bikeway during the winter months when snowmobiles were traveling on it. He said they had not been able to apply the seal prior to the 2011-2012 winter season, but had recently completed the application for the upcoming winter season. Mr. Tennyson advised that the application process had gone very well, only requiring closure of the Bikeway for part of one day.

Mr. Merlino advised the snowmobile clubs had started working on the trail systems in anticipation of the upcoming winter season. He said that representatives of the snowmobile clubs had approached him to advise of their interest in placing gates on the sections of the Bikeway used by snowmobile traffic to ensure that use was not occurring without the proper amount of snow. Mr. Tennyson responded that he had also been made aware of this initiative and his staff was currently working to coordinate the effort; he added that they had identified two different gate designs that would be best used in the area and said that plans for adding the gates had been developed and reviewed by the DPW Engineering staff. Mr. Tennyson stated that Mr. Butler had recently contacted the snowmobile clubs to advise that the final plans were available, as well as to note which type of gates would work best.

Mr. Butler said he had one other Item of Interest to note which was not included on the agenda, that being the rubber roof recently completed for a section of one of the buildings located at Up Yonda. He circulated photos of the roof, noting that the flat roof had previously been used as a sun porch by the prior owners of the building, but was not used for that purpose any longer. Mr. Butler apprised he had considered building over the flat roof to eliminate it in favor of a more traditional peaked structure, but it was determined that installing of the rubber roof was more cost effective. He said the cost of the rubber roof had been approximately \$3,500 and was funded by the Up Yonda Trust; he added that the new roof was covered by a five-year warranty.

Copies of all of the photos referenced are on file with the minutes.

Mrs. Wood apprised that she had recently visited the Fish Hatchery to see the new Pond 11 construction and received a tour of the rest of the facility while she was there. She said the Fish Hatchery was a great facility that was doing a lot of good work and she thanked Mr. Butler and his staff for the tour.

Mr. Butler concluded his agenda review with a notation that there were no Referral items to discuss.

Privilege of the floor was extended to Mr. Tennyson who distributed copies of the DPW agenda to the Committee members; *a copy of the DPW agenda is also on file with the minutes.*

Commencing the agenda review, Mr. Tennyson advised that agenda page 1 consisted of the Overtime Report for all Public Works Divisions. He pointed out that the Report reflected the amount of overtime incurred through September 20th and that the amounts were relatively low due to the absence of inclement weather.

Moving on to agenda page 2, Mr. Tennyson presented a request for an intermunicipal agreement with the Town

of Queensbury for the Rush Pond Trail which was a multi-use trail proposed for construction within portions of the County ROW (right-of-way) extending along West Mountain Road (CR 58). He said he had met with John Strough, Queensbury Town Councilman, discuss the Trail plans and had found the primary use of County ROW would be at the northern end of West Mountain Road which was currently being used as an informal parking area. Mr. Tennyson stated that he would suggested approval of the intermunicipal agreement to include the following basic terms:

1. The Town of Queensbury, or its agents, would be authorized to construct, upgrade, maintain and use the path within portions of the County ROW;
2. The Town of Queensbury shall indemnify the County from any claims related to the construction, maintenance or public use of the path;
3. Construction details and any future modifications of the path shall be approved by the Superintendent of Public Works;
4. Actual construction and maintenance work within the County ROW shall be by separate permit issued by the Superintendent of Public Works;
5. The term of the agreement will be until it is revoked by either party; and
6. The final form and details of the agreement will be subject to approval by the County Attorney.

Motion was made by Mr. Conover, seconded by Mr. Dickinson and carried unanimously to approve the request for an intermunicipal agreement with the Town of Queensbury, as outlined above, and the necessary resolution was authorized for the October 19th Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson advised the next agenda item pertained to an update on the status of an MOU (Memorandum of Understanding) with NYSDEC for plowing the NYSDEC-owned portion of Beach Road. He reminded the Committee that in November of 2011, Martin Auffredou, County Attorney, had drafted an MOU pertaining to permissions for the County to plow the section of Beach Road in question, which was then forwarded to NYSDEC for review; he added that although there had been no initial response from NYSDEC, communications had recently been received. Mr. Auffredou apprised earlier that morning he had received a telephone call from Michelle Crew, of the NYSDEC Region 5 Office, who indicated that she had completed her review of the MOU and had very few concerns with it, but said that regardless of the fact that there was no money changing hands in relation to the MOU, the document still had to be forwarded to the NYSDEC Budget Review Office in Albany, NY, where it was currently being reviewed. Mr. Auffredou said he had expressed to Ms. Crew the time constraints faced as the upcoming winter season was rapidly approaching, and Ms. Crew said she believed the review would be completed in the very near future. He continued that Ms. Crew had commented that she did not foresee any issues preventing the MOU from being accepted and approved, and she also expressed her deep appreciation for the County's cooperative efforts. Mr. Tennyson explained that the NYSDEC-owned portion of Beach Road consisted primarily of the ring-style portion of road surrounding the beach parking lot and he informed the Committee that if a winter weather event were to occur before the executed MOU was received, the NYSDEC-owned portion of Beach Road would be treated by the County DPW crews, along with the rest of Beach Road.

Kevin Hajos, Deputy Superintendent of Public Works, addressed the next agenda item, pertaining to the Beach Road Reconstruction Project. He advised the final executed contract from the New York State Environmental Facilities Corporation (EFC) Green Innovation Grant Program (GIGP) had been received for \$415,000 to cover costs associated with the application of porous pavement along portions of Beach Road, as well as for stormwater monitoring for a certain evaluation period. Mr. Hajos further advised the Federal Highway Administration (FHWA) required monitoring of the stormwater as part of an experimental feature plan which would allow additional funding to the County in the event that a failure of the porous pavement system occurred within seven years of installation.

In connection with this issue, Mr. Hajos advised that agenda page 5 included a request to amend Resolution No. 488 of 2012 to include a notation regarding the EFC GIGP funding awarded. He explained that as part of the agreement for alternate State grant funding, NYSDOT required all funding associated with the Beach Road Project to be included in their grant agreements and, therefore, an amendment to Resolution No. 488 of 2012 was required to include the EFC GIGP funding.

Motion was made by Mr. Dickinson, seconded by Mrs. Wood and carried unanimously to approve the request to amend Resolution No. 488 of 2012 as outlined above, and the necessary resolution was authorized for the October 19th Board meeting. *A copy of the request is on file with the minutes.*

Proceeding to agenda page 9, Mr. Tennyson presented a request to close Capital Reserve Project No. H159.9550 280, Fuel Management Expansion and Upgrade, which was previously used for periodic maintenance to the County Fuel Farm sites and had a remaining balance of approximately \$36,495.97. He advised that with the assistance of the Treasurer's Office, it had been determined that funding for maintenance measures should be appropriated from an operating code, rather than the current capital reserve project, and that a Capital Reserve should be established for capital improvements to the Fuel Farms; he added that both the new operating budget and Capital Reserve would be funded by the monies remaining in Capital Reserve Project No. H159.9550 280, which was being closed. Mr. Tennyson stated that agenda page 10 included a request to establish a Capital Reserve DM 894.00, Reserve, Motor Fuel Systems, in the amount of \$10,000 in accordance with Section 6C of the General Municipal Law, for capital improvements to the motor fuel system. Page 11, he continued, included a request to amend the County Budget in the amount of \$26,495.97 to establish a budget for the operation, maintenance and routine repair of the County Fuel Farms.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to approve all three of the aforementioned requests and refer same to the Finance Committee. *Copies of the requests to close Capital Reserve Project No. H159.9550 280; establish Capital Reserve DM894.00; and Amend the County Budget are on file with the minutes.*

Mr. Tennyson directed the Committee members to agenda page 12 which included a request for himself and Mr. Hajos to attend the 18th Statewide Conference on Local Bridges in North Syracuse, NY on October 23 - 25, 2012.

Motion was made by Mr. Conover, seconded by Mr. Mason 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.*

Agenda page 15, Mr. Tennyson announced, consisted of a request to amend the Departmental Table of Organization and Salary Schedule to set a salary of \$43,000 for the Assistant Engineer #2 position. He pointed out that prior Resolution No. 495 of 2012 authorized filling of the position with a salary range of \$43,000 - \$48,000, based on qualifications and experience. Mr. Tennyson said the vacancy had attracted seven applicants, of which five had been interviewed for the Assistant Engineer #2 position before deciding on the appropriate candidate who had accepted the position at the low end of the salary range. He concluded that Committee action was now necessary to officially set the final salary for the position.

Motion was made by Mr. Conover, seconded by Mr. Mason and carried unanimously to amend the Departmental Table of Organization and Salary Schedule as outlined above and refer same to the Personnel Committee. *A copy of the request is on file with the minutes.*

Mr. Tennyson directed the Committee members to agenda page 17 which reflected a request for a transfer of funds

in the amount of \$12,745. He explained there were currently three temporary employees working with the County Road crews which they anticipated retaining until the close of the construction season. In order to fund the salaries for the temporary positions through November 17th, Mr. Tennyson advised that the aforementioned transfer was necessary.

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

Continuing the agenda review, the Items of Interest section was addressed as follows:

- * Beach Road Reconstruction - Mr. Hajos advised the paving work on the eastern end of Beach Road near the Garrison Restaurant would begin that week, with most being finished by the end of the week. He advised work to install drainage facilities on the western end of Beach Road, near Canada Street, would begin during the following week with the anticipated completion date being the last week of October. Mr. Hajos said that he did not believe the full reconstruction of Beach Road would be completed in 2012 as it was not feasible to install the porous pavement until the spring. *Photos of paving completed on Beach Road were circulated, copies of which are on file with the minutes.*

A brief discussion ensued relative to the Beach Road Reconstruction Project.

- * Lanfear Road Bridge Rehabilitation - Two bids had been received for the Lanfear Road Bridge Rehabilitation Project which included asbestos abatement and paint work, Mr. Hajos apprised. He noted that two bids had been received for the work and it appeared that Amstar of Western NY, Inc. Mr. Hajos said they were currently discussing the schedule for the work which might not occur until the spring of 2013 because the NYSDOT (New York State Department of Transportation) specifications for the paint being used on the bridge indicated that it could not be used if the temperature was below 40° within a 24-hour period.
- * Horicon Avenue Pipe Liner - Mr. Hajos advised the failing Horicon Avenue pipe was located near the Warrensburg High School and as opposed to excavating the highway to remove the pipe, and affecting the traffic near the school, they felt the better approach was to install a liner pipe. He said the pipe liner had been installed and during the following week they intended to grout around the pipe and pour headwalls to hold the pipe in place, completing the project. Mr. Tennyson advised this type of procedure was typically used in cases where the pipes were deep under the roadway and might require a large excavation project to replace. Additionally, he pointed out that Engineering review had found the smooth bore of the liner pipe typically allowed for greater flow through the pipe than the original grooved pipe would. *Photos of the pipe work were circulated, copies of which are on file with the minutes.*
- * Bloody Pond Road Culvert Pipe - Mr. Hajos said they had noted a culvert on Bloody Pond Road, which was comprised of an aluminum culvert pipe with a box culvert at one end and a concrete culvert at the end, was in the early stages of failure and they had placed it on their list of facilities to be replaced in 2012. He advised that the Warren County Soil and Water Conservation District had advised of the availability of grant funding through an Aquatic Passage Grant Program that would allow for replacement of the pipe at no cost to the County; therefore, he said, they had accepted the offer for grant funding and were now installing a new 6' by 8' elliptical aluminized pipe. Mr. Hajos stated that the pipe had been set on the prior day and was being backfilled so that the road could be re-opened by either the end of that day or the following day. *Photos of the pipe work were circulated, copies of which are on file with the minutes.*

Mr. Dickinson said he had received a complaint relative to the increase in the size of the culvert pipe being used and he questioned how the pipe size was determined. Mr. Hajos advised the pipe size was determined by the Warren County Soil and Water Conservation District and he explained that because the stream was considered to be a Class A Trout Stream by NYSDEC, necessitating a larger pipe that could be embedded in the ground to allow for fish passage. Mr. Tennyson interjected that although the new pipe was much larger, a significant portion would be buried beneath the stream.

Concluding the agenda review, Mr. Tennyson apprised there was only one Referral item listed, pertaining to the MOU with NYSDEC for plowing of the NYSDEC-owned portion of Beach Road, which had been addressed earlier in the meeting and could be removed.

Mr. Auffredou said he would suggest discussion on Solid Waste issues at the next Public Works Committee meeting to consider the solid waste hauling and disposal contracts with Wheelabrator and Waste Management, which were set to expire prior to the end of the year. He noted that the hauling contracts with Waste Management expired on December 31st, but could be renewed for two one-year terms; more concerning, he said, were the disposal contracts with both Waste Management and Wheelabrator that expired on November 30th and could only be extended for three months. Mr. Auffredou suggested that the disposal contracts be extended for three months, allowing for services to continue while reviewing the services to develop a revised RFP (request for proposal) to better address the needs of the Towns involved.

Motion was made by Mr. Monroe and seconded by Mrs. Wood to extend the contracts with Waste Management and Wheelabrator for solid waste disposal and recycling services (WC 33-11) for a three-month term commencing November 30, 2012 and terminating February 28, 2013.

Mr. Conover agreed that extending the contracts was a good idea, and requested that a means for handling construction and demolition waste be included in the next bid for waste management services. Mr. Taylor stated his feeling that hazardous materials should also be included.

Following further discussion, Mr. Bentley called the question and the aforementioned motion was carried by unanimous vote and the necessary resolution was authorized for the October 19th Board meeting.

It was the consensus of the Committee that discussion on Solid Waste matters should be scheduled for the next Public Works Committee meeting to address the need for a refined bid for solid waste recycling and disposal services further.

Mr. Dickinson introduced discussion on parking near the former Gaslight Village property, specifically whether the Town of Lake George would be entitled to a share of the parking revenues received from the West Brook Parking Lot if they were to purchase half of the County's ownership interest in the former Gaslight Village property. Mr. Bentley said it had been suggested that additional parking be constructed on the opposite side of West Brook Road and that the revenues be split with the Town of Lake George. Mr. Dickinson confirmed this discussion and advised the decision on splitting revenue with the Town of Lake George would be pivotal to their decision as to whether they would purchase half of the County's shares of the Gaslight Village property. Mr. Dickinson continued there was a considerable amount of money to be made from parking revenues and the Town was seeking a means to offset the costs associated with the property purchase.

A lengthy discussion ensued relative to the construction of additional parking areas along West Brook Road, following which, Mr. Tennyson advised that he and his staff would develop a conceptual layout plan for the

additional parking suggested, including anticipated construction costs and possible parking revenues, for further discussion at a future meeting.

There being no further business to come before the Public Works Committee, on motion made by Mr. Dickinson and seconded by Mrs. Frasier, Mr. Bentley adjourned the meeting at 11:21 a.m.

Respectfully submitted,
Amanda Allen, Deputy Clerk of the Board