

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: MAY 21, 2014

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MERLINO
CONOVER
WOOD
TAYLOR
FRASIER
SIMPSON
SOKOL
VANSELOW

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS
KEVIN HAJOS, DEPUTY SUPERINTENDENT OF PUBLIC WORKS
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD
JOANN MCKINSTRY, ASSISTANT COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS BROCK
KENNY
SEEBER

COMMITTEE MEMBER ABSENT:

SUPERVISOR DICKINSON

JUSTIN GONYO, SARATOGA NORTH CREEK RAILWAY
RICHARD B. LUCIA, SUPERVISOR FOR THE TOWN OF CORINTH
JAMES CATILLAZ, ENLIGHTEN POWER SOLUTIONS
NICK PASCO, ENLIGHTEN POWER SOLUTIONS
MARCY FLORES, 1ST ASSISTANT WARREN COUNTY PUBLIC DEFENDER
GINA BORKOWSKI, CONFIDENTIAL SECRETARY TO THE 1ST ASSISTANT PUBLIC
DEFENDER
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, SECRETARY TO THE CLERK OF THE BOARD

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

Motion was made by Mrs. Frasier, seconded by Ms. Wood and carried unanimously to approve the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board.

Mr. Merlino acknowledged that Richard Lucia, Superintendent for the Town of Corinth, was present for today's meeting.

Privilege of the floor was extended to Jeffery Tennyson, Superintendent of Public Works, who distributed copies of the Parks, Recreation & Railroad Agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the review of the Parks, Recreation & Railroad Agenda, Mr. Tennyson advised the first item listed pertained to an update on railroad operations from Justin Gonyo, General Superintendent of the Saratoga & North Creek Railroad (SNCR).

Mr. Gonyo began by distributing copies of the new brochure that was developed to market the 2014 spring and summer train schedules; *a copy of which is on file with the minutes.* He apprised he was pleased with the appearance of the brochure and noted it provided an exceptional summary of the passenger service provided by SNCR.

Mr. Gonyo advised SNCR would be having an opening ceremony on June 26 to christen the new train station in the Town of Thurman. He noted because this was the first time the Town of Thurman had a proper train station since 1933, SNCR felt an inaugural ceremony of the new north end local train service between the Towns of Thurman and North Creek was necessary. He said invitations would be sent out the following week for the event which would involve a train ride from the Town of Thurman to the Town of North Creek.

With regards to the dinner train service offered, Mr. Gonyo stated the brunch trains that operated on

Easter Sunday and Mother's Day had sold out, as had every dinner train that operated separate from SNCR's regular service. He stated SNCR was adding ten additional dinner trains to the 2014 schedule, two of which would include themed events. He explained the dinner train scheduled for September would be feature an Oktoberfest theme and the October dinner theme would encompass a wine tasting/fall foliage theme.

Mr. Gonyo apprised tickets went on sale for the Polar Express Train Ride on May 20, 2014. He stated SNCR's marketing department continued to work with local hotels, restaurants and businesses to develop packages for the train.

In reference to the infrastructure, Mr. Gonyo advised because of the harsh winter, repairs were being completed on the railings of the North Creek station platform; he added that repairs would also be made to the railing of the handicapped ramp and the split rail fencing would be replaced. He stated once the repairs in North Creek were finished they would commence spring cleaning on the Hadley Luzerne train station. He said the building inspector would be reviewing the addition to the engine house within the next few days.

Chairman Geraghty requested an update on the freight operations. Mr. Gonyo stated as soon as SNCR's customer finalized the contract with their client the freight operations would commence.

Continuing the agenda review, Mr. Tennyson presented a request for a new agreement with the South Warren Snowmobile Club, Inc. to permit use of approximately 1.35 miles of the Warren County Bikeway for a term commencing upon execution and terminating March 31, 2017. He noted there were no changes from the previous contract. He said the DPW had a sound relationship with the South Warren Snowmobile Club and were happy with how they preserved the trail, as well as how they controlled the access based on snowfall and trail conditions. Mr. Merlino added he and some members of the South Warren Snowmobile Club had just completed repairs on a few spots along the trail to ensure that it was maintained properly. He requested that Mr. Tennyson contact Vicki Eastwood to inquire when an appropriate time would be to perform maintenance on the section of the trail that her driveway intersected, as she would be unable to access her property for a few hours while the coating dried. Mr. Tennyson stated he assumed they had been unable to perform the maintenance the prior year because Ms. Eastwood wanted continuous access to her property. He pointed out Ms. Eastwood's driveway intersected County property which she had secured an easement to cross in order to access her property. Mr. Merlino suggested Mr. Tennyson inform Ms. Eastwood the product they used for the repair dried within a few hours; therefore, he said, her property would only be inaccessible for a short period of time.

Mr. Sokol advised individuals that utilized the bike trail had mentioned their concerns to him regarding the problematic area around Magic Forest. He questioned whether the issues within this area were being addressed and Mr. Merlino replied affirmatively. He explained they had dealt with the issues within this area; however, he said, if the individual still had some concerns he would be happy to meet with them to ensure they were addressed.

Motion was made by Ms. Wood, seconded by Mr. Sokol and carried unanimously to approve the request for a new contract as outlined above and the necessary resolution was authorized for the June 20, 2014 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Tennyson apprised page four of the Agenda was a summary of the stocking that had been completed for the spring by the Warren County Fish Hatchery. He noted page five of the Agenda referred to the history of the Warren County Fish Hatchery stocking from 1983 to 2014; he added that he anticipated reaching over one million fish stocked within the next few years.

Page six of the Agenda, Mr. Tennyson stated, referred to the 12th Annual Warrensburg Motorcycle Rally, which was scheduled for May 30-June 8, 2014 on the Warren County Fairgrounds. He pointed out this was the largest event scheduled on the Warren County Fairgrounds and each year the event grew to add additional features.

Concluding the agenda review, Mr. Tennyson addressed the referrals section as follows:

1. Mr. Tennyson advised the King's School was proceeding with the design work for the pedestrian railroad crossing that would allow their students to safely reach their athletic fields located opposite the tracks from the school. He anticipated the plans would be ready to present at the next Committee meeting.
2. Mr. Tennyson said he had no updates regarding the requested conveyance of County-owned property located in the Town of North Creek to North Creek Woodworking.

Mr. Geraghty asked Mr. Tennyson to send well wishes to Paul Butler, Director of the Parks, Recreation & Railroad Division, and he commended Mr. Butler for always providing valuable updates on his Departmental operations.

Moving on to the DPW Agenda, Mr. Merlino requested that they discuss town municipal yard waste disposal efforts prior to reviewing the DPW Overtime Report. He said since municipalities were no longer permitted to burn yard waste he had requested Wayne LaMothe, County Planner, investigate whether grant funding was available for the County to purchase a grinder that could be utilized by the local municipalities, as well.

Mr. LaMothe advised the CFA (Consolidated Funding Application) under the Department of State had a Local Government Efficiency Program with \$4 million in funds available. He said each municipality that participated was eligible for up to \$200,000 with a maximum award of \$1,000,000. He stated if the County submitted the application for funding with resolutions from the local municipalities advising of their participation, the maximum of \$1,000,000 could potentially be awarded; however, he said, this was unlikely to occur since there was only \$4 million in funding available. He noted the grant required a 10% cash match. He explained if the County was the recipient of the funds and had intermunicipal agreements with the other participants on the use of the equipment grant funding could potentially be awarded under the Local Government Efficiency Program. He said this was the only program he could locate that could assist with the purchase of a grinder.

Mr. Merlino estimated the cost of the grinder to be \$300,000 which meant the matching funds required would be \$30,000. He pointed out if the \$30,000 was divided amongst the County and the participating municipalities the cost per partner would be relatively small. He said control of the grinder could be maintained by the Warren County DPW, who would in turn create a usage schedule to include all of the participating partners. He noted this would save the local municipalities a substantial amount of money, as it was expensive for them to pay to move the yard waste out of the local landfills.

Mr. Simpson questioned whether the plan would be for the grinder to move from Town to Town and Mr. Merlino replied affirmatively. He explained the Warren County DPW could develop a schedule with set times of when the grinder could be used by each participating municipality so all participating partners were aware of where it was and when they could use it. Mr. Simpson asked whether training would be provided to the personnel utilizing the equipment and Mr. Merlino replied it had not been discussed; however, he said, he felt some sort of training would be required. Mr. Tennyson queried whether the training was applicable to the transfer station personnel since the grinder would be used for the residential yard waste brought to the local transfer stations which differed from the small chipper the Warren County DPW Highway personnel utilized. Mr. Simpson interjected he felt specialized employees would be needed, as a more particular skill set would be required to operate the grinder

than that of a transfer station employee. He added the Town of Horicon only had two employees at their transfer station. Mrs. Frasier suggested that Mr. Simpson utilize the DPW Highway personnel for operating the grinder. Mr. Conover advised he felt it was a good idea to apply for CFA funding under the Local Government Efficiency Program to purchase the grinder.

It was the consensus of the Committee to refer the matter to the Economic Growth & Development Committee for further discussion.

Mr. Tennyson apprised Agenda Page 1 included the DPW Overtime Report, but stated there was nothing noteworthy to point out. He said page 2 of the Agenda consisted of a letter from Robert Blais, Mayor of the Village of Lake George, requesting the use of the County-owned West Brook parking lot during the Festival for the Lake scheduled from September 20-21, 2014 at no charge. Mr. Merlino questioned whether the County would lose the revenue from the parking meters if they permitted the Village to use the parking lot and Mr. Tennyson replied the County would lose the normal parking revenue for those two days. He stated that although this had not been discussed he anticipated that going forward the Committee would establish a rate for special events that sought to use the entire parking lot similar to that of the fee in place for the use of the County-owned Beach Road parking lot. He pointed out the revenue from the West Brook parking lot was allocated to repaying the bond for the construction of the parking lot.

Mr. Merlino questioned whether any rules had been established regarding waiving the fees for the use of the parking lot, as he was concerned that this fee would set a precedent for other groups to expect the fee would be waived for them, as well. He added the loss of revenue from the parking lot would require the County to locate the funding elsewhere to repay the bond. He said he felt further discussion with Mayor Blais was necessary.

Mr. Tennyson advised the difference between the West Brook Parking lot and other County-owned parking lots was that the County still owed money on it. He noted if sufficient monies were not generated from parking revenue, funding necessary to repay the bond would have to be allocated from the General Fund.

Mr. Conover questioned whether parking revenue would be generated at other County-owned sites that would otherwise be dormant during this timeframe and Mr. Tennyson replied in the negative. He explained the only other County-owned parking lot was the Beach Road parking lot, which the full Board had previously authorized the Village of Lake George to use for the Festival for the Lake and had committed to donating any parking revenues generated to the Fund for the Lake. He stated he anticipated if this event was not occurring individuals would pay to park in the County-owned parking lot.

Mr. Taylor queried whether the Festival Space had not been properly designed, as this was the first event scheduled there and the space was too small. Mr. Tennyson advised he projected there would be additional larger events scheduled that would require additional space. Mr. Taylor pointed out this meant there would be less parking available to the larger events.

Mr. Merlino suggested the discussion be tabled until next month so he could meet with Mayor Blais and explain that although the County was supportive of expanding events beyond the Festival Space, the loss of revenue from the West Brook parking lot would place a financial burden on the County, as they utilized the parking revenue generated there to repay bonding costs. Mr. Taylor asked Mr. Tennyson to approximate the amount of revenue that would be lost during that event and Mr. Tennyson estimated it to be about \$2,000.

Mr. Tennyson reiterated he felt the Committee should establish a fee for the use of the entire parking lot for events, as he anticipated there would be more requests forthcoming. Mr. Vanselow suggested developing a fee schedule for the different classes of users such as municipalities and private promoters and possibly partitioning off a portion of the parking lot so that part of it could be used for events and the other portion could be used for parking. Mr. Tennyson pointed out that fees for municipal users were waived for events on a regular basis. He said fees were normally not forgiven for other classes of users such as not-for-profits unless the event was sponsored by a municipality. With regards to segmenting the parking lot, he stated he felt the only way to maintain through traffic and offer parking would be to offer a few parking spots on the park side of the parking lot; however, he said, he felt this would be quite restrictive.

Mr. Conover apprised he concurred that Mr. Merlino should discuss the situation with Mayor Blais. Mr. Merlino added that he understood fees were usually waived for municipalities; however, he said, since there was a debt owed for the parking lot construction costs, he felt this provided justification not to do so in this case. He suggested the Park Operations & Management Committee discuss establishing a fee for the use of the parking lot. Mr. Tennyson interjected that the Park Operations & Management Committee was tasked with managing the Festival Space; however, he said, the Public Works Committee had oversight of the West Brook parking lot.

It was the consensus of the Committee that Mr. Merlino would confer with the Committee members to develop some alternative solutions regarding the use of the West Brook parking lot and present them at the next Committee meeting.

The next Item on the Agenda, Mr. Tennyson stated, referred to the unanticipated additional CHIPS (Consolidated Highway Improvement Program) funding that was awarded in the amount of \$141,999.04. He stated page 3 of the Agenda consisted of a list of road projects that had been deferred, some of which had been previously listed, while others were added as a result of the difficult winter. He apprised he would like to establish new road projects with the assistance of the Committee. He noted from a County infrastructure standpoint, the two projects on the top of the list were projects he felt were necessary to take care of this year.

Mr. Tennyson advised the Bay Road project in the Town of Queensbury was unanticipated, as it was discovered during the springtime thaw that sections of the road were delaminated so that the upper layer of asphalt was peeling off and breaking apart. He pointed out the road was heavily traveled and handled a reasonable amount of truck traffic. He apprised he was concerned if the road was not repaired this year, it would require much more expensive repairs in 2015. He said if possible he would like to move ahead with making the repairs this year.

The other road project he recommended advancing this year, Mr. Tennyson stated, was East River Drive in the Town of Lake Luzerne. He said the road project had already been established with \$30,000 in funds; however, he apprised, an additional \$30,000 in funds was required to complete the entire project.

Mr. Merlino stated he was agreeable to whichever road projects Mr. Tennyson felt were necessary, as he had the knowledge required to make a sound determination. Mr. Tennyson added as they proceeded with the road projects any unused funds remaining would be reallocated towards other road projects, as needed.

Mr. Conover suggested considering reducing the additional \$1 million in funding that was earmarked in the 2014 County Budget for County Road Projects by the \$141,999.04 to decrease the amount of funds required from the General Fund. He pointed out there were some unanticipated expenses

impacting the General Fund; therefore, he said, he felt it was necessary to refer the issue to the Budget Committee to determine whether the additional funds should be earmarked for new road projects or to reduce the burden on the General Fund. Speaking as the Budget Officer, Mr. Thomas stated that he did not foresee additional funds being available for road projects in the 2015 Budget; therefore, he said, he felt the allocation should not be reduced. Mr. Conover questioned whether they should delay making a determination until more information was available regarding the County's revenue status later in the year. Mr. Thomas reiterated because of the unanticipated expenses and the reduction in sales tax he did not foresee any additional funds being available in the 2015 County Budget for road projects.

Ms. Wood advised she was not in favor of reducing the additional \$1 million by the \$141,999.04, as she felt repairs to the roads could not be delayed any further and she concurred with Mr. Thomas that additional funds may not be available in the 2015 County Budget. She pointed out the roads were in a state of such disrepair it was costing County taxpayers money from damages sustained to their vehicles. She noted from a long term perspective it would cost the County more money in the future if the repairs were delayed any longer, as more extensive repairs would be required. Mr. Merlino agreed with Ms. Wood and added the Bay Road Project in Queensbury was not added to the list until this spring when they realized how badly the road had deteriorated over the winter. He said if road repairs were delayed any further the repair costs would increase substantially. Mrs. Frasier apprised she believed the County taxpayers were tired of repairs to the roads being delayed and she felt they should not reduce the additional \$1 million in funding. Mr. Vanselow stated he believed it was the Board of Supervisors obligation to authorize the repairs necessary to maintain the roads for the County taxpayers, as well as the tourists they were attempting to attract to the region. He pointed out since the roads were in such a state of disrepair it may prevent tourists from returning to the region. He added he attributed the cracked rim and muffler snapping off on his car to the current road conditions.

Mr. Simpson questioned why Shaw Hill Road in the Town of Horicon was included on the list of roads that may be completed if additional funds were available, as he thought funding for this project had previously been transferred to Watering Tub Road. Mr. Tennyson advised that the following scenarios could have occurred:

1. The bids received were less than the cost estimated for the project;
2. Review all of the projects and reassessments of the work to be completed had resulted in changes because some projects may require more extensive repairs than what was anticipated;
3. The "From: and "To" were included within the general segment areas and whatever was funded would be expanded to go as far as they could with the project, which varied;
4. Profiling variations for some roads that required more profiling than what was originally anticipated to get the crown back into the road.

Mr. Tennyson pointed out the Agenda included the first of what he foresaw would be several requests to transfer funds from one road project to another, as this was a common occurrence.

Mr. Conover questioned whether this request would be handled similar to the request for additional funds for County Road Projects where it was referred to the Budget Committee for further discussion to make a final determination. He pointed out the Budget Committee reduced the original request from \$1.5 million to \$1 million because of other budget considerations. He reiterated he felt they should consider the unanticipated expenses that were impacting the 2014 County Budget, as well. He queried whether the request would be forwarded to the Budget Committee for further discussion or directly to the Finance Committee and Mr. Merlino replied it would be referred to the Finance Committee. Mr. Tennyson pointed out the previous request was forwarded to the Budget Committee because they had requested funds be allocated from the General Fund to the 2014 DPW Budget for County Road Projects; however, he said, standard requests such as this one were forwarded directly to the Finance Committee

for review.

Mr. Vanselow questioned whether Mr. Conover was suggesting reducing the additional \$1 million by \$141,999.04 since CHIPS funding was required to be allocated for County Road Projects and Mr. Conover replied affirmatively. He reiterated that in light of unanticipated expenses, such as the mandated additional County Jail staffing, he was concerned with the impact on the General Fund.

Motion was made by Mr. Taylor, seconded by Mrs. Frasier and carried unanimously to amend the 2014 County Budget to reflect the receipt of unanticipated CHIPS funding in the amount \$141,999.04, to appropriate said funding to various County Road Projects, and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Page 4 of the Agenda, Mr. Tennyson stated, referred to a request for transfer of funds in the amount of \$20,000 from Budget Code D.5112 8214 280, County Road Projects, Schroon River Road, to Budget Code D5112 8216 280, County Road Projects, Hadley Road, to cover the cost of the extra pavement required for the project.

Motion was made by Ms. Wood, seconded by Mrs. Frasier and carried unanimously to approve the request for transfer of funds as outlined above and forward same to the Finance Committee. *A copy of the request for transfer of funds is on file with the minutes.*

Addressing the Pending Items section, Mr. Tennyson advised he may have to advance some out-of-Committee requests if the proper documentation was provided by the NYSDOT (New York State Department of Transportation) for the grant amendment agreement regarding consultant work for construction on the NYSDOT-owned portion of Beach Road. He said that although this was for the NYSDOT-owned portion of the road, the County would channel the funds through the existing contract with B&L Control Service, Inc.

Regarding amending the grant agreement and contract for Valley Road Bridge over Patterson Creek located in the Town of Thurman, Kevin Hajos, Deputy Superintendent of Public Works, reminded the Committee they had received approval from NYSDOT to include improvements to the Combs Road Bridge for use as a detour route as part of the project. He stated requests for staff modifications had been submitted to the NYSDOT and the A/GFTC (Adirondack/Glens Falls Transportation Council) for the supplemental agreement and they were in the process of preparing an intermunicipal agreement with the Town of Thurman stating that they would cover the local share of the grant which was anticipated to be between \$10,000 and \$20,000. Mr. Tennyson said requests would be forthcoming for the grant amendment to cover the additional cost of improvements to the Combs Road Bridge under the existing contract, as well as to amend the contract with Creighton Manning, Inc. to include the additional scope of work and to increase the Capital Project, once the necessary documents were in place.

Mr. Hajos advised the DPW Highway personnel had started the paving projects scheduled for this year, the first of which was the Glen Athol Road Project. He stated they had reconstructed the road and put binder down the previous year and this year they applied blacktop. He apprised Hadley Road, located in the Town of Stony Creek, had been paved last week and he anticipated they would be finishing up the driveway work shortly. With regards to the Hicks Road Project located in the Town of Queensbury, he commented today was the last day they would be applying base course pavement for the project and he estimated the project would be completed by July 1, 2014. Mr. Hajos advised the draft design reports were just submitted to the NYSDOT and the FHWA (Federal Highway Administration) for the Blair Road Project; he stated the construction on this project should be completed by the following summer.

Mr. Thomas commended the DPW Highway crew for the exceptional work completed on Hadley Road in the Town of Stony Creek. He apprised he had spoken with Messrs. Tennyon and Hajos about his complaint that pot holes were causing problems that warranted repairs.

Mr. Conover apprised that he continued to work on proposals for revision of the formula relating to snow and ice contract reimbursements to the towns and would report back to the Committee at a future date.

There being no further business to come before the Public Works Committee, on motion made by Mrs. Frasier and seconded by Ms. Wood, Mr. Merlino adjourned the meeting at 10:30 a.m.

Respectfully Submitted,

Sarah McLenithan, Secretary to the Clerk of the Board