

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: FEBRUARY 28, 2017

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON  
MACDONALD  
FRASIER  
MERLINO  
SOKOL  
MACDONALD  
GIRARD  
HYDE

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
TIM BENWAY, RECREATION FACILITIES MANAGER  
JUSTIN GONYO, GENERAL SUPERINTENDENT, SARATOGA & NORTH CREEK RAILWAY  
KEVIN GERAGHTY, ACTING COUNTY ADMINISTRATOR  
AMY BARTLETT, ASSISTANT COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS BROCK  
LEGGETT  
JENNIFER MATTEO, REPRESENTING ADIRONDACK SAFARI  
MARK MATTEO, REPRESENTING ADIRONDACK SAFARI  
KURT AUSTIN, REPRESENTING RAILS TO TRAILS  
DON LEHMAN, THE POST STAR  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS DICKINSON  
VANSELOW

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Please note, the following contains a summarization of the February 28, 2017 meeting of the Public Works Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://warrencountyny.gov/gov/comm/Archive/2017/works/>

Mr. Simpson called the meeting of the Public Works Committee to order at 11:30 a.m.

Motion was made by Mrs. Frasier, seconded by Mr. MacDonald and carried unanimously to approve the minutes of the last Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Parks, Recreation & Railroad and DPW Agendas were distributed to the Committee members, copies of same are on file with the meeting minutes.

Commencing the review of the Parks, Recreation & Railroad Agenda, privilege of the floor was extended to Justin Gonyo, *Saratoga & North Creek Railway (SNCR) General Superintendent*, to provide an update on SNCR operations. Mr. Gonyo apprised that he did not have an update, as operations would not resume until April.

Mr. Simpson questioned whether ticket sales were currently available for spring and Mr. Gonyo replied in the negative. He stated that their website was currently being revamped so ticket sales were unavailable online at this time.

Mr. MacDonald inquired whether any progress had been made with freight and Mr. Gonyo replied in the negative.

Continuing with the Agenda review, Mr. Tennyson presented the following requests:

Page 1- Request to extend the contract with South Warren Snowmobile Club, Inc. for the use of 1.35 miles of the Warren County Bikeway for snowmobile trail for the term commencing upon execution and terminating March 31, 2020.

Motion was made by Mr. Merlino, seconded by Mr. Girard and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

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Page 3- Request to extend the contract with North Warren Trailblazers Snowmobile Club, Inc. for the use of a .443 mile snowmobile trail on County-owned property located in the Towns of Bolton and Warrensburg for the term commencing upon execution and terminating April 15, 2020.

Motion was made by Mr. Sokol, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Resuming the Agenda review with Referral/Pending Items, Mr. Tennyson apprised that he had no update regarding Mr. Zibro d/b/a Warrensburg Bike Rally's request for use of the Warren County Fairgrounds property for their annual event to include automatic renewal terms for up to ten consecutive years and the development of a plan and/or policy for the use of the Warren County Fairgrounds for the Committee to consider.

Amy Bartlett, *Assistant County Attorney*, informed that the County Attorney's recommendation was for a five year agreement which included a five year option rather than moving forward with a ten year agreement to ensure there was some sort of review process in place.

A motion was made by Mr. MacDonald and seconded by Mrs. Frasier to authorize a five year agreement to include a five year option with Mr. Zibro d/b/a Warrensburg Bike Rally's request for use of the Warren County Fairgrounds property for their annual event.

Mr. Geraghty questioned whether the agreement would be under the same terms and conditions as the current agreement or would it include an escalator clause.

A discussion ensued following which Mr. MacDonald withdrew his motion and Mrs. Frasier withdrew her second.

Mr. Simpson advised the discussion concerning the matter would continue at the next Committee meeting and he requested that Mr. Tennyson provide the Committee with a breakdown of the costs accrued by the County as a result of this event so an informed decision could be made.

Privilege of the floor was extended to Mark Matteo, Founder, *Adirondack Safari*, who proceeded to provide an overview of a revised proposal for the County to consider which would allow his company to use the Warren County Fairgrounds as one of the locations for their "Glamping Tour" from May 1-September 1, 2017, which he noted was a shorter timeframe than his original proposal had included. He added that they had also increased the amount they would compensate the County for the use of the land from \$150 a day to \$200 a day.

A lengthy discussion ensued following which a motion was made by Mr. MacDonald, seconded by Mr. Merlino and carried unanimously to authorize a licensing agreement with Adirondack Safari for use of Warren County Fairgrounds as one of the locations for their "Glamping Tour" from May 19-September 1, 2017 for a fee of \$200 a day and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting.

Proceeding with the Agenda review, Mr. Simpson asked Ms. Bartlett for an update regarding whether any liability would be involved if the County were to remove its portion of the railroad tracks which would render the northerly section of the railroad owned by Iowa Pacific useless. Ms. Bartlett stated that authorization to terminate would be required from the Department of Transportation, as well as possibly requiring authorization from the ICC (*Illinois Commerce Commission*); therefore, she stated, the County Attorney would not recommend moving forward with this at this time.

Kurt Austin, *Representing Rails to Trails*, advised that part of the abandonment process during a railroad shutdown required allowing anyone impacted such as factories located along the railroad to purchase the right-of-way at salvage value which was a risk. He said this meant Iowa Pacific would be afforded the right to purchase Warren County's railline for salvage value. He mentioned if the railroad was under Federal Jurisdiction, permission was required from the STB (*Surface Transportation Board*).

A discussion ensued.

In regards to the Information for Discussion/Review portion of the Agenda, Mr. Tennyson stated that Page 5 of the Agenda consisted of a copy of the flyer that was distributed advertising the Pancake Breakfast and Maple Festival on Sunday, March 5<sup>th</sup> at Up Yonda Farm which typically sold out.

Mr. Tennyson advised that Page 6 of the Agenda consisted of a copy of the poster created to advertise the Spring Zing Fishing Clinic & Open House at Up Yonda Farm on Saturday, May 13<sup>th</sup>. He informed this year they had two new organizations involved, the New York State Environmental Conservation and the Sheriff's Office Boat Patrol, who would be doing water safety activities with the kids while they were learning how to fish.

Commencing the review of the DPW Agenda Mr. Tennyson presented the following items:

- Page 1- Request to authorize Supplemental Agreement No. 1 with New York State Department of Transportation for Bay Road (CR7) Painting Project in the amount of \$1.54 million.
- Page 7- Request to increase Capital Project H365.9550 280, *Bay Road (CR7) Pavement Preservation Project*, in the amount of \$1,001,275 to account for grant funding that was received.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the aforementioned requests and the necessary resolution was authorized for the item listed on Page 1 and the item listed on Page 7 was forwarded to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

- Page 8- Request for a new contract with Greeman-Pedersen, Inc. for consultant and construction services on Supplemental Agreement No. 1 for Bay Road (CR7) Preservation Project.

Motion was made by Mrs. Frasier, seconded by Mr. Girard and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

- Page 14- Request for a new contract with the lowest responsible bidder for PIN 1760.19 - Bay Road (CR7) Pavement Preservation Project pursuant to the terms and provisions of the specifications (WC5-17) and proposal for a term commencing upon execution by both parties and terminating upon completion of the work.

Mr. Geraghty asked whether it would be possible to combine requests pertaining to the same Capital Projects into one and Ms. Bartlett replied in the negative. She said this was not feasible because of the different requirements associated with them.

Motion was made by Mr. MacDonald, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the*

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*resolution request form is on file with the minutes.*

- Page 15- Request for a new contract with Creighton Manning Engineering, LLP for PIN 1760.18- West Mountain Road (CR 58) Pavement Preservation Project in an amount not to exceed \$46,500 for a term commencing upon execution by both parties and terminating upon completion of the work.

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

- Page 22- Request to increase Capital Project H272.9550 280, *Harrington Road over Mill Creek Bridge Project*, in the amount of \$124.94 to cover expenses that were not reimbursable through grant funding.

Motion was made by Mrs. Frasier, seconded by Mr. MacDonald and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

- Page 23- Request to decrease Capital Project H351.9550 280, *CR 44 over Hudson River Bridge Painting Project*, in the amount of \$200,326 based on bids and revised grant.

Motion was made by Mr. Girard, seconded by Mr. Merlino and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

- Page 24- Request to decrease Capital Project H321.9550 280, *Lanfear Road (CR 76) Bridge Project*, in the amount of \$59,944.44 based on the actual Project cost.

Motion was made by Mr. Sokol, seconded by Mrs. Frasier and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

- Page 25- Request to close Capital Project H319, *Hicks Road Reconstruction*; Request to close Capital Project H344, *Warren County Bikeway Improvements*; and Request to close Capital Project, *Warren County Bikeway Connections*.

Motion was made by Mr. Merlino, seconded by Mr. MacDonald and carried unanimously to approve the aforementioned requests and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

- Page 26- Request to authorize submission of a grant application to the NYSDEC (*New York State Department of Environmental Conservation*) for funding in an amount to be determined to support the costs of household hazardous waste collection.

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

- Page 30- Request to amend Resolution No. 616 of 2015 to reflect that the contract with Care

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Environmental Corp. for Household Hazardous Waste Collection (WC 68-15) has the option to extend for two additional one year terms.

Motion was made by Mr. Sokol, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Page 31- Request for a new contract with Dave F. Barrass for periodic surveying services commencing upon execution and terminating on December 31, 2017 with the option for two possible one year extensions

Motion was made by Mr. Girard, seconded by Mrs. Frasier and carried unanimously to approve the request and the necessary resolution was authorized for the March 17<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Page 33- Request to fill vacant position of Heavy Equipment Operator, *Grade 8, Annual Base Salary \$32,238*, due to retirement.

Motion was made by Mrs. Frasier, seconded by Mr. MacDonald and carried unanimously to approve the request and refer same to the Personnel Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Page 34- Request to fill vacant position of Highway Construction Supervisor #4, *Grade 10, Annual Base Salary \$34,675*, due to promotion.

Motion was made by Mr. MacDonald, seconded by Mr. Sokol and carried unanimously to approve the request and refer same to the Personnel Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Mr. Tennyson advised he had an additional request that was not included in the Agenda packet which pertained to filling the vacant position of Director of Parks, Recreation & Railroad, *Annual Salary \$63,000*, due to resignation. He informed that the request had gone through the appropriate approval process before being presented to the Committee.

Motion was made by Mr. Girard, seconded by Mr. Merlino and carried unanimously to approve the request and refer same to the Personnel Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

Concluding the agenda review, Mr. Tennyson pointed out the DPW Report included in the agenda packet.

Mr. Tennyson stated prior to adjourning he had one more issue he would like to discuss concerning an issue the County Treasurer's Office had brought to light about Road Projects not being completed. He explained there were several projects which were multi-year projects and there were some with funds remaining in them because they were able to finish under budget. He said when this occurs he moved money around and presented request to establish new Road Projects. He mentioned when the roads were re-assessed this spring he would be presenting requests such as these to the Committee, as it was not possible to do so during the construction season. He stated the conclusion was reached that the County should be contracting out more work but in fact one of the road projects that was delayed related to the fact that it was a contracted project. He explained the contractor had scheduling issues which caused the project to not advance. He encouraged anyone with questions and/or concerns

to contact him. He assured the Committee members that the funds were being expended; however, he noted, there were times when a funds were rolled over into the next year when the Project would be completed or instances when a Project was completed under budget thereby leaving funds leftover which would be re-purposed the following year.

Privilege of the floor was extended to Mr. Austin, *representing Rails to Trails*, who provided an update on a campaign underway to encourage the Governor to provide funding to connect the trails between Lake Placid and Tupper Lake to Routes 30 and 28N and the trail he had been promoting here to go all the way to Saratoga.

There being no further business to come before the Public Works Committee, on motion made by Mr. MacDonald and seconded by Mrs. Frasier, Mr. Simpson adjourned the meeting at 12:19 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board