

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: JULY 25, 2017

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON  
MACDONALD  
FRASIER  
SOKOL  
GIRARD  
HYDE

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD  
JUSTIN GONYO, GENERAL SUPERINTENDENT, SARATOGA & NORTH CREEK RAILWAY  
KEVIN GERAGHTY, ACTING COUNTY ADMINISTRATOR  
BRIAN REICHENBACH, COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS LEGGETT  
SEEBER  
BENJAMIN BOTELHO, SECOND ASSISTANT COUNTY ATTORNEY  
DON LEHMAN, *THE POST STAR*  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS VANSELOW  
DICKINSON  
MERLINO

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Please note, the following contains a summarization of the July 25, 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 1:07 p.m.

Motion was made by Mrs. Frasier, seconded by Mr. Sokol 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.

Prior to commencing the review of the Parks, Recreation & Railroad Agenda with an update on SNCR (*Saratoga & North Creek Railway*) from Justin Gonyo, *General Superintendent, SNCR*, Mr. Simpson congratulated Mr. Gonyo on the recent birth of his son. Mr. Gonyo thanked Mr. Simpson and said that he was pleased to report his son, Colin Michael, was sleeping about seven hours a night. Mr. Gonyo then proceeded with his update, apprising that they had been working on the 2018 Operations Plan which should be available for the County to review by the end of the month or within the first few weeks of August. He added their plan was to have tickets for sale by late August which was well ahead of when they commenced ticket sales for 2017.

In regards to the Polar Express event, Mr. Gonyo advised that upon review of the other seven Polar Express events Iowa Pacific Holdings held across the Country they determined that they would like to increase the number of trips per day; however, he noted, since the current location the event disembarked from was the Saratoga Station, they had to operate on one mile of Canadian Pacific tracks, who restricted them to two trains per day. He said because they felt they could increase the number of passengers on this event by doubling the number of trips taken per day thereby increasing their revenue they were working on moving Polar Express to one of two possible new proposed locations which would ensure the tracks used were controlled by SNCR so they could increase the ridership. He surmised he would be able to announce which of the two new proposed locations was selected at the Public Works Committee meeting in August. He apprised the projected volume from the increase in trips was a total of about 36,000 passengers during the six week operation of the event.

Mr. Gonyo informed they were working on two separate freight contracts which would commence next year if they came to fruition, one of which involved 40,000 tons of construction sand traveling from

North Creek, New York to Hudson, New York where it would be combined with other materials for concrete production. He said he would continue to update them on it as it progressed. He mentioned the other freight contract was a small one which consisted of one car load per month coming on to their rail line. He commented he felt it was imperative for them to be aware that stone was not the only commodity they had the opportunity to haul on their line.

Mr. Gonyo announced SNCR had donated \$499.63 to the Hadley Business Association to pay for their new community sign. He mentioned they had promised to donate \$500 cash or up to \$500 towards the cost of materials required and the total cost ended up being almost exactly \$500. On a side note, he stated they had a job opportunity available for a chef position they were seeking to fill immediately which paid \$18 per hour. He said the position was posted but he wanted to let them know in case they were aware of anyone who may be interested.

Mr. Leggett inquired how business was going for the Renegade Rail Riders and Mr. Gonyo replied he felt it would be appropriate for representatives of the company to attend a future meeting to provide an update. He said he felt comfortable conveying their operations started on the weekend following the July 4<sup>th</sup> weekend. He said it was his understanding they were doing well with reservations, as they had very few open seats on their trips. He mentioned they were steadily increasing their operations with the hopes of running four trips per day, seven days a week by August.

Mr. Geraghty entered the meeting at 1:13 p.m.

Moving along, Timothy Benway, *Director of Parks, Recreation & Railroad*, presented a request to amend the County Budget in the amount of \$1,800 to reflect the receipt of funds donated by the Lewis Trust.

Motion was made by Mr. Girard, 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.*

Mr. Benway stated that Edward Zibro, *representing the Warrensburg Bike Rally*, had planned on attending the meeting today to discuss the event; however, he noted, he was not present. Jeffery Tennyson, *Superintendent of Public Works*, said that he had spoken to Mr. Zibro following this years event during which he indicated the event was a success and he thanked Mr. Benway and the Public Works employees who provided assistance; however, he noted, he was struggling to get larger vendors to participate since he did not have a long-term commitment from the County for use of the Warren County Fairgrounds for the event. He said Mr. Zibro wanted to convey to the Board that he would like them to reconsider authorizing a longer term agreement with him. He added the agreement in place permitted them or himself to terminate it based upon incidences or concerns, etc. He added according to Mr. Zibro, a longer term commitment would assist him with drawing larger vendors to the event. He said Mr. Zibro had planned on attending the meeting today but something came up at the last minute that prevented him from being here. He mentioned he would ask Mr. Zibro to attend a future meeting to discuss the matter further, as it was not necessary to make a decision on anything today.

Mr. Simpson offered privilege of the floor to Brian Reichenbach, *County Attorney*, to address communications with the APA (*Adirondack Park Agency*). Mr. Reichenbach informed shortly after the County authorized the agreement with Adirondack Safari for "Glamping Tour", his Office received a call from the APA Enforcement Staff who conveyed that the County had been managing an unpermitted campground at the Warren County Fairgrounds for several years. He explained according to the APA's regulations and laws, the County was considered a private entity. He continued, the Warren County Fairgrounds was considered to be a private campground if more than eight person nights were spent there. He apprised since the County was a municipality the APA was not interested in enforcing the matter but rather would like to work together to resolve the issue. He said their proposal consisted of

a Consent Order for this year and the County submitting an application to them for a permit by next spring. He explained if the permit was awarded, the County could continue on with the event, but if it was not they would have to discontinue it in order to remain in compliance with the APA rules and regulations. He said Benjamin Botelho, *Second Assistant County Attorney*, had expended a significant amount of time researching the rules during which he made some changes to the original proposal the APA made to allow for some additional protections for the County which he was comfortable moving forward with; *a copy of the Settlement Agreement with the APA pertaining to Town of Warrensburg Tax Map Parcel No. 198.-1-14 is on file with the minutes*. He requested approval of the Settlement Agreement so it could go before the Board on August 18<sup>th</sup> for approval following which the Chairman could sign it to ensure the issue could be resolved for this year. He added that Mr. Botelho was working on the application for next year.

Mr. Simpson inquired whether there were any changes to the layout of the "Glamping Tour" that needed to be addressed under these terms and Mr. Reichenbach replied in the negative. He said that the agreement included a smaller number of campsites; however, he noted, they would work with the APA to ensure this figure was accurate. He mentioned the APA had investigated the operation and as far as he knew did not have any concerns with it at this point in time.

A motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the Settlement Agreement with the APA as outlined above and the necessary resolution was authorized for the August 18<sup>th</sup> Board meeting.

Concluding the agenda review, Mr. Benway distributed photographs of the completed Butterfly Exhibit and new fiberglass rearing troughs at Up Yonda Farm; *copies of the photos are on file with the minutes*. He mentioned the final cost of the butterfly exhibit was \$9,900 which was \$400 more than the estimated cost but they were able to use grant funding from Walmart to pay the balance. In regards to the fiberglass rearing troughs, he said the total cost was \$16,000, noting this was a significant upgrade because it allowed them to split the fish between the older and newer ones in less than four days and did not leak. Mr. Tennyson added these were for hatchlings at the Fish Hatchery.

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

- Page 1- Request for a new contract with Richard C. Sears Inc., DBA Richard Sears Tree Experts Inc. for routine and emergency tree removal services pursuant to the terms and provisions of the specifications (WC 48-17) and proposal for a term commencing upon execution by both parties and terminating one year from the date of execution with the option for two possible one year renewals.

Mr. Tennyson informed this contract typically was handled by him but because they had exceeded the threshold which he had to enter into contracts the bidding process was required.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the request the necessary resolution was authorized for the August 18<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes*.

- Page 8- Request to amend the County Budget in the amount of \$2,257.98 to reflect the receipt of insurance recovery funds for damage to guard rails along Haviland Road which occurred on August 5, 2016.

Motion was made by Mr. Sokol, seconded by Mr. Girard 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 11 - Request for transfer of funds between various Road Projects totaling \$40,700.78.

Page 12 - Request for transfer of funds between various Road Projects totaling \$34,502.96.

Mr. Sokol remarked he was pleased to see that the State had committed some funding for paving work on a State Road within the County which he equated to the persistent requests they made.

Motion was made by Mr. Girard, seconded by Mr. Sokol and carried unanimously to approve the requests as outlined above and forward copies of same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

Page 14 - Request to fill the vacant position of Building Maintenance Mechanic, *Grade 13, Annual Base Salary \$37,946*, due to a lateral transfer.

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

Page 15 - Request to fill vacant position of Motor Equipment Operator Light #2, *Grade 5, Annual Base Salary \$28,951*, due to resignation.

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

In regards to Household Hazardous Waste Days, Mr. Tennyson apprised that Page 16 of the agenda consisted of a summary of this years events and Page 17 broke down the quantity of the items collected and their associated cost, as well as the total cost for both events which was \$19,384.20. He mentioned they would be submitting the documentation to NYSDEC (*New York State Department of Environmental Conservation*) who would be providing them with reimbursement for 50% of the total cost which he did not anticipate receiving until later this year.

Moving along, Mr. Tennyson distributed photographs of various paving and bridge work projects which were completed; *copies of the photos are on file with the minutes.*

Mr. Simpson commended the exceptional job the paving crew has done this year on the roads. He said they worked well with the Town of Horicon Department of Public Works employees on the paving job they did there. Mr. Leggett concurred with Mr. Simpson, as they paving crew had done an excellent job on the work they did on Schroon River Road in the Town of Chester. He inquired about the status of the work on the South Horicon Bridge and Mr. Tennyson replied that it was a Federal Aid Project which would be advancing.

Mr. Tennyson apprised that Page 18 of the Agenda consisted of a request for transfer of funds in the amount of \$17,000 from Budget Code D.5110 465, *Road/Bridge Materials*, to Budget Code D.5110 421, *Equipment Rental*. He explained although the transfer was within the same Budget Code and did not require Committee approval, Mr. Geraghty had asked him to bring the request before the Committee.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the request as outlined above; thereby providing the requested authorization to include the amount in the County Administrators approved transfers and report same at the Finance Committee meeting.

Concluding the agenda review, Mr. Tennyson pointed out the DPW Overtime, and Fuel Usage Reports included in the agenda packet.

Prior to adjourning, Mr. Geraghty announced he was unsure why the County Treasurer had stated at the July 21<sup>st</sup> Board meeting that the County had not received the payment from SNCR, as he could attest to the fact that it had been received. He mentioned SNCR still owed them a small balance which he would contact them to inquire about.

Mr. Thomas questioned whether the bucket truck had been purchased and Mr. Tennyson replied in the affirmative, noting they had completed the internal training for it with the appropriate staff and it had been in use. Mr. Thomas asked what the reach was for it and Mr. Tennyson responded that he believed it was 35 feet. He commented that it had been an asset for his Department, as it had been very useful for them.

There being no further business to come before the Public Works Committee, on motion made by Mr. Sokol and seconded by Mr. MacDonald, Mr. Simpson adjourned the meeting at 1:28 p.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board