

# WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 20, 2021

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS: CONOVER  
DICKINSON  
THOMAS  
BRUNO  
HOGAN

**OTHERS PRESENT:**

KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS  
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
MARY ELIZABETH KISSANE, COUNTY ATTORNEY  
AMANDA ALLEN, CLERK OF THE BOARD  
FRANK E. THOMAS, BUDGET OFFICER  
SUPERVISORS BRAYMER  
FRASIER  
GERAGHTY  
LEGGETT  
MAGOWAN  
MERLINO  
SHEPLER  
SMITH  
STROUGH  
WILD  
ROBERT BLAIS, MAYOR, VILLAGE OF LAKE GEORGE  
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
WAYNE LAMOTHE, COUNTY PLANNER  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
TOSHA BROWNELL, COMPUTER HELP DESK TECHNICIAN  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the January 20, 2021 meeting of the Public Works Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:*  
<https://warrencountyny.gov/gov/comm/Archive/2021/works>

*Note: As per Governor Cuomo's Executive Order 202.1: "Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed". All of the Committee members in attendance participated via video or teleconference, except for Supervisor Thomas who was physically present.*

Mr. Conover called the meeting of the Public Works Committee to order at 9:49 a.m. He welcomed Mr. Thomas, who also served as Budget Officer, to the Committee and informed Messrs. Geraghty and Merlino would be joining their Committee as members next month, but until then were welcome to participate in discussion, although they would not be permitted to vote at this time. He announced he would be offering privilege of the floor to Robert Blais, *Mayor, Village of Lake George*, as soon as he joined the meeting to

discuss a specific matter with the Committee.

Copies of the DPW and Solid Waste agendas were distributed to those in attendance, those participating remotely accessed the agendas via the Warren County website. Copies of the agendas are on file with the meeting minutes.

Prior to commencing the agenda review, Mr. Conover called for a motion to approve the minutes of the prior Committee meeting, subject to correction by the Clerk of the Board. The necessary motion was made by Ms. Hogan, seconded by Mr. Dickinson and carried unanimously.

Commencing the review of the DPW agenda, Kevin Hajos, *Superintendent of Public Works*, presented the following requests:

1. To fill the vacant position of HEO #14, *Grade 10, Base Annual Salary \$37,633*, due to promotion.
2. To fill the vacant position of HEO #6, *Grade 10, Base Annual Salary \$37,633*, due to promotion.
3. To fill the vacant position of HEO #11, *Grade 10, Base Annual Salary \$37,633*, due to retirement.

Mr. Conover inquired if these were budgeted positions and Mr. Hajos replied affirmatively. Ms. Hogan pointed out there appeared to be a significant number of retirements occurring within the DPW division and she asked whether they related to COVID. Mr. Hajos replied in the negative, explaining he had been aware for several years that they would reach a point when a number of individuals would be retiring around the same time. He said the individual who retired in the HEO #11 position had worked for the County for thirty years, but the other two vacancies were the result of promotions. He mentioned Frank Morehouse, *Superintendent of Buildings*, who was retiring, had worked for the County for twenty-seven years and Don Degraw, *Airport Manager*, had submitted his resignation due to being offered a position elsewhere making significantly more than his current salary.

Ms. Braymer apprised, as Chair of the Personnel, Administration & Higher Education Committee, that she would be working closely with the Human Resources Department to review the exit interview process to determine if there was a certain trend relating to all of the resignations.

Motion was made by Ms. Hogan, seconded by Mr. Dickinson and carried unanimously to approve Items 1, 2 and 3 as outlined above and refer same to the Personnel, Administration & Higher Education Committee for reporting purposes. *Copies of the Notices of Intent to Fill Vacant Position forms are on file with the minutes.*

4. To authorize a new contract with Rozell East Inc. for crane services pursuant to the terms and provisions of the specifications (WC 69-20) and proposal for a term commencing upon execution by both parties and terminating December 31, 2021 with option to extend for up two additional one year terms.

Mr. Conover asked how this bid compared to the bids received in previous years and Mr. Hajos responded typically there was not much of a response to the bids for crane services; he added Rozell East, Inc. was usually the only contractor to respond, but if he were to call other contractors and inquire about their pricing he believed it would be similar.

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Motion was made by Mr. Dickinson, seconded by Mr. Bruno and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 19<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

5. To amend the existing agreement with New Castle Paving, LLC to include a change order to increase the contract amount in the amount of \$43,669.90 pursuant to Capital Project H377, *Sunnyside Road & Sunnyside East Pavement Preservation Project*, in the Town of Queensbury.

Mr. Hajos apprised the change order was required to reflect the additional work required as a result of a drainage issue that was discovered along one of the roadways which required addressing. He informed because this was a Federal Aid Project the County was only required to cover 5% of the cost. He added due to the cost exceeding the \$35,000 threshold he was permitted to approve without further action, he was required to bring the request before the Committee for approval.

Mr. Magowan stated as an individual who frequently drove on this road he would like Mr. Hajos notify the contractor that he believed they had done an excellent job on this project.

Motion was made by Mr. Dickinson, seconded by Ms. Hogan and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 19<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

6. To create the position of Engineer I #4, *Annual Salary \$58,354*, and delete the position of Junior Transportation Analyst, *Grade 9, Annual Salary \$56,862*, effective January 18, 2021.
7. To fill the vacant position of Engineer I #4, *Annual Salary \$58,354*, due to creation.

Mr. Hajos advised the individual that had been in the Junior Transportation Analyst position had retired after thirty years of employment with the County. He said the position had been created several years before he began his tenure working for the County and the type of work administered by this position was no longer required. He apprised because of this he was requesting to delete the position and create an additional Engineer I position, the salary for which was based on the out-of-unit grades that were created last year which was slightly more then the salary of the position being deleted resulting in an increase in the County Budget; however, he noted, he did not believe the additional funding would be required this year due to the time it would take them to fill the position which would result in a savings. He added moving forward into future years the change would result in an increase in his departmental budget of approximately \$1,492.

Motion was made by Ms. Hogan, seconded by Mr. Dickinson and carried unanimously to approve Items 6 and 7 as outlined above and refer same to the Personnel, Administration & Higher Education Committee. *Copies of the resolution request and Notice of Intent to fill Vacant Position forms are on file with the minutes.*

8. To authorize Warren County to serve as the Lead Agency for the State Environmental Quality Review for Horicon Avenue (CR 11) over Finkle Brook Culvert Replacement project in the Town of Bolton (H384) and declaring a negative declaration relative to the determination of non-significance under SEQR.

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Mr. Hajos informed this request pertained to a Bridge New York project involving Horicon Avenue (CR 11) over Finkle Brook Culvert Replacement which required the County to be named as the lead agency and declare a negative declaration relative to the determination of non-significance under SEQR. He stated the Short Environmental Assessment Form was included in the agenda and the only thing remaining to do was to complete Part 3 which encompassed the County indicating it was a negative declaration that there would be no significant environmental impacts as a result of this. He said the request would authorize him to sign the form, as well as declaring the County as the lead agency under the SEQR review.

Mr. Conover suggested they first deal with the request to designate the County as Lead agency and he called for a motion. The necessary motion was made by Mr. Dickinson, seconded by Mr. Bruno and carried unanimously, thereby authorizing the necessary resolution was authorized for the February 19<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

In regard to declaring a negative declaration relative to the determination of non-significance under SEQR. Mr. Hajos apprised this was all part of the same SEQR determination that was just voted on. He explained these were not separate actions, as it was necessary to declare the County as lead agency, as well as to declare a negative declaration that there was no adverse environmental impacts.

Mr. Conover noted although it was not necessary he would like a formal motion to declare a negative declaration that there was no adverse environmental impacts. The necessary motion was made by Mr. Dickinson and seconded by Ms. Hogan.

Ms. Hogan asked for a brief description because she had observed that there were shoreline forest wetlands involved. Mr. Hajos provided an overview of Part 3 of the SEQR document which concerned the supporting information for this negative declaration. Ms. Hogan asked where the shoreline was and Mr. Hajos replied the shoreline referred to was of the slopes going down to the stream.

Mr. Conover called the question and the motion to declare a negative declaration as outlined above was carried unanimously.

9. To authorize a new contract with the lowest responsible bidder for contractor for 2021 road projects pursuant to the terms and provisions of the specifications (WC 63-20) and proposal for a term commencing upon execution by both parties and terminating upon completion of the work.
10. To establish several road projects for 2021/2022 (*listing provided in the agenda packet*) to be funded by a transfer from Budget Code D.5112.8319 280, *2020 CR#48 County Home Bridge*.
11. For a transfer of funds between various budget codes totaling \$3,250,000 to fund the 2021 road projects listed.

Mr. Hajos explained Items 9, 10 and 11 all pertained to the 2021 County road projects, informing Item 9 concerned awarding the contract to the lowest responsible bidder for contractor for 2021 road projects which they had yet to determine who it would be, as they had put the projects out to bid and were currently completing an analysis on those bids. He said Item 10 concerned establishing the road projects that had been included in the County Budget for this year, but the request was to establish road projects for 2021/2022. He explained they had discussed during the budgeting process doing \$4.9 million of work each year if they

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did a BAN (*Bond Anticipation Note*); however, he noted, this year they would be doing the preservation type of road projects, such as mill and fill overlays and then next year they would do more of the road reconstruction projects. He informed approximately \$2.9 million of work would be completed this year and then next year they would require slightly more than \$6 million in funding. He advised Item 11 pertained to a transfer of funds required to provide each one of these road projects with the estimated funding required to complete them. He stated the total for the 2021 road projects was approximately \$2.8 million and the transfer for 2022 road projects was the funding budgeted for the projects this year would carry over into next year for the 2022 road projects.

Ms. Hogan inquired about the status of the Main Street road project in North Creek. Mr. Hajos advised this project had been included in the budget over the last few years and they had been working with the engineers for the waterline for the Town. He said he was hoping they would all be able to agree to do the work at the same time. He stated the Peaceful Valley spur that was part of the same project, but had not been included before and the County would be adding that portion of the project in.

Motion was made by Mr. Dickinson, seconded by Mr. Bruno and carried unanimously to approve Items 9, 10 and 11 and the necessary resolution was authorized for the February 19<sup>th</sup> Board meeting for Item 9 and Items 10 and 11 were referred the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

12. To amend Resolution No. 423 of 2020 to indicate that the contract for fire suppression inspection and maintenance for fueling facilities located throughout Warren County (WC 58-20) was for a three year term and not a one year period with option of two one year renewals.

Motion was made by Mr. Bruno, seconded by Mr. Dickinson and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the February 19<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Continuing to the discussion portion of the agenda, Chairman Conover offered privilege of the floor to Mayor Blais, who indicated he was present today to request that the County rename West Brook Road to Sen. Elizabeth O’C Little Boulevard effective February 1, 2021. He stated West Brook Road was the first road residents and visitors saw when they coming into The Village of Lake George that lead directly to the lake. He said West Brook Road was also bordered by the Town of Lake George and the Village of Lake George and was owned by Warren County and the State. He informed Senator Little had been supportive of those municipalities and the State throughout her entire life and this was the only road he could think of in the entire region that had no homes or businesses located along it, as it was bordered by the Battleground State Park and the Charles R. Wood Park. He added Senator Little had been instrumental in assisting with obtaining financial support for the Charles R. Wood Park. He indicated he had discussed with the State erecting a plaque at the intersection of Beach Road and the Boulevard that would tell future visitors about Senator Little and the work she had done for the region. He added the location was also at the terminus of the Warren County Bike Trail which was a highly trafficked area that would allow more individuals to view the plaque that was erected in honor of Senator Little. He said if the name change was approved he planned to hold a dedication ceremony sometime in the spring permitted the guidelines pertaining to COVID allowed them to do so. He mentioned he had discussed this with Governor Cuomo’s secretary and there was some

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indication he may attend the dedication ceremony where they honored Senator Little with this lasting tribute for the thirty-four years of dedicated service she provided to the region.

Mr. Hajos informed a representative from the NYS DEC (*New York State Department of Environmental Conservation*) had contacted him to inquire how much right-of-way the State had at the end of West Brook Road and Beach Road because they wanted to ensure the placement of the plaque was on County property and not on the State Battle Grounds Park property since they considered that to be forest preserve. He said he had provided the State with the information they had requested, adding he believed the proposed area where the plaque would be placed was on County property.

Mr. Conover called for a motion to bring this matter to the floor for discussion. The necessary motion was made by Mr. Dickinson and seconded by Mr. Bruno.

Mr. Dickinson indicated the Town of Lake George was fully supportive of the Village of Lake George's request for all of the reasons mentioned by Mayor Blais. He said he was looking forward to moving this forward, as he believed it was an appropriate way to honor Senator Little. Mr. Bruno stated he concurred with Mr. Dickinson and Mayor Blais that this was a suitable manner to honor Senator Little, who had dedicated a significant amount of time and years to public service.

Mr. Conover called the question and the motion to authorize the Village of Lake George's request to rename West Brook Road to Sen. Elizabeth O'C Little Boulevard effective February 1, 2021 was carried unanimously and the necessary resolution was authorized for the February 19<sup>th</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Conover asked Don Lehman, *Director of Public Affairs*, if any public comments had been received and Mr. Lehman replied there were no comments pertaining to DPW business, but he had received comments regarding the Solid Waste agenda which could be addressed during that portion of the Committee meeting.

Moving along to the review of the Solid Waste Agenda, Mr. Hajos stated there were no action/new business items on the Solid Waste agenda, but there was a discussion item concerning the implementation of task as part of the Local Solid Waste Management Plan and Local Law Nos. 2 and 3 of 1991. He advised he had submitted a Local Solid Waste Management Plan to the NYS DEC, but he had yet to receive a response from them regarding the approval of the plan. He indicated once NYS DEC approved the plan he would bring it back before the Committee for adoption. He said one of the tasks that would be included in the Plan was to review Local Law Nos. 2 and 3 of 1991 of which Local Law No. 2 required the source separation and segregation of recyclables or reusable materials from the solid waste stream in Warren County. He advised this Local Law required him, as the Superintendent of Public Works, to administer that, as well as each of the towns to manage. He mentioned the County did assist each one of the towns with this in regard to the source separation by providing each of them with containers. He advised what the County was currently not doing that it should be was enforcing where haulers were disposing of the material. He stated they had attempted to include in their bids where the contractors had to haul the recyclable material to a recyclable facility to eventually be sold on the market; however, he noted, he did not have the staff available to enforce this. He apprised that was applicable to where the towns material was being brought, but there was also haulers who took the individual residents garbage who were more difficult to track because his

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department did not have the capability to handle the enforcement. He pointed out in his neighborhood alone there were around eight companies that were handling residential trash pick up.

Mr. Hajos informed Local Law No. 3 of 1991 pertained to initiating a permitting system through which the County would permit haulers and collect data from the haulers as to what they were doing with the materials they collected. He said he had included in the Local Solid Waste Management Plan that they would collect this data on a monthly basis to provide them with a better idea of where these companies were taking this material, but this could be changed to a quarterly basis in the future. He added this all related to having the staff to be able to follow up on those procedures. He mentioned as part of Local Law No. 3 of 1991 it was declared that this permitting system would be handled by the County DPW and a resolution was supposed to have been adopted back then approving a fee schedule, but he had been unable to locate any information regarding this. He stated as an example, the City of Troy charged haulers around \$200 for an application fee. He indicated the size of the company would determine what they were charged for each individual truck to be registered because the permitting system required any vehicle that hauled waste within Warren County, whether it be through the County or taking material out of the County, to be permitted. He advised following his initial research he determined that there were thirty-eight contractors currently hauling waste within Warren County, but he believed it was likely there were more than that. He said of these thirty-eight companies about fifteen of them were on the smaller side with only one or two truck operation and the remaining ones were larger companies who had a significant number of trucks. He informed he would bring the fee structure to the next Committee meeting and would include the initial application fee, as well as a per truck fee and then each truck would have to display a sticker from Warren County that indicated they were permitted to haul within the County.

Mr. Hajos mentioned the Zero Waste Committee had requested the County establish an advisory Committee which he believed was a good idea, but before that occurred he would like to get some of these plans and proposals in place. He added he would be seeking their assistance and had requested that they keep sending him invitations to attend the Zoom meetings to allow him to provide them with updates on the process, as well as allowing them to share any information they had collected with him.

He stated at the December 14<sup>th</sup> Public Works Committee meeting he had requested that the towns provide him with a copy of their local laws they created in 1991 regarding the management of their solid waste stream and thus far the Town of Hague was the only town who has submitted any information regarding this. He advised he would be contacting the towns again to inquire if they had a Local Law in place and if so to please submit them to him for review.

A discussion ensued during which Mr. Hajos indicated he was hoping to be able to use the revenue obtained from the hauler permits to initially cover the cost of the salary of a part-time employee to handle enforcement, but due to all of the components associated with this plan it may require additional staff in the future. He added fines would also be established for when haulers were not following the proper procedure.

Mr. Conover suggested Mr. Hajos provide the full Board with copies of Local Laws No. 2 and 3 of 1991. He added if possible he felt the Solid Waste agenda should include a listing of all of the haulers, as well as the job description for the position Mr. Hajos was proposing to create to handle enforcement and how it would be funded. Mr. Hajos advised he would contact the Personnel Officer to discuss positions that may

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be comparable to the one he was proposing to create to assist in writing the job description.

Mr. Geraghty stated while he believed this was a good idea he was wondering if anyone had considered what the cost of this would be to the County taxpayers because the haulers would be passing along the expense to their customers by increasing what they charged them for trash pick-up. He added this could cause some taxpayers to dump their trash on the side of the road.

Mr. Bruno asked them to consider what would happen with the recyclables when there was no market for them.

A discussion ensued.

Mr. Conover asked Mr. Lehman if any public comments had been received and Mr. Lehman replied affirmatively. He read aloud comments from Diane Collins and Mary Beth Mylott, Zero Waste Committee members regarding establishing a Solid Waste Action Committee whose members consisted of volunteer municipality members and interested citizens from each of the towns. He advised there were also an inquiry from Ms. Mylott, who wanted to know if Mr. Hajos believed no fee schedule existed from 1991-1992 or was it just that no information could be located. Mr. Hajos responded the fee schedule was implemented, as he had staff who were present at that time and remember issuing these permits, but he could not locate any information regarding them. Mr. Lehman stated that Mr. Hajos had just addressed Ms. Mylott's next question pertaining to whether implementation of permits was ever attempted in any way. Mr. Lehman informed Ms. Collins indicated the City of Glens Falls should have a hauler list, but the Town of Queensbury did not have one as of yet. She also stated minimal cost to taxpayers referred to Zero Waste Committee information which Mr. Hajos had, adding that more markets were developing.

Mr. Leggett informed he would pass along any information he learned at the Zoom meeting of Adirondack Action regarding communities being ready for the new food waste laws that would be forthcoming.

There being no further business to come before the Committee, on motion made by Ms. Hogan, seconded by Mr. Bruno and carried unanimously, Mr. Conover adjourned the meeting at 10:48 a.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board