

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: PUBLIC WORKS**

**DATE: APRIL 20, 2021**

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**COMMITTEE MEMBERS PRESENT:** SUPERVISORS: CONOVER  
HOGAN  
THOMAS  
BRUNO  
GERAGHTY  
MERLINO

**OTHERS PRESENT:** KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS  
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD  
JIM LIEBERUM, DISTRICT MANAGER, WARREN COUNTY SOIL & WATER  
CONSERVATION DISTRICT  
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD  
RYAN MOORE, COUNTY ADMINISTRATOR  
AMANDA ALLEN, CLERK OF THE BOARD  
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY  
SUPERVISORS BRAYMER  
DRISCOLL  
FRASIER  
LEGGETT  
MAGOWAN  
MCDEVITT  
SHEPLER  
SMITH  
STROUGH  
WILD  
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR  
LEISA GRANT, PRINCIPLE ACCOUNT CLERK, TOURISM DEPARTMENT  
WAYNE LAMOTHE, COUNTY PLANNER  
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS  
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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*Please note, the following contains a summarization of the April 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/mma>

*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 were physically present,, except for Supervisor Conover who participated virtually.*

Mr. Conover called the meeting of the Public Works Committee to order at 9:48 a.m.

Copies of the DPW; Parks, Recreation & Railroad; and Solid Waste agendas were distributed to those in

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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. Bruno and carried unanimously.

Commencing the review of the DPW agenda, Mr. Hajos presented the following requests:

1. To fill the vacant position of HEO #11 *Grade 10, Base Annual Salary \$37,633*, due to resignation.
2. To fill the vacant position of MEO (L) #2, *Grade 7, Base Annual Salary \$33,600*, due to resignation.
3. To fill the vacant position of MEO (L) #16, *Grade 7, Base Annual Salary \$33,600*, due to promotion.

Motion was made by Ms. Hogan, seconded by Mr. Merlino 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 the Superintendent of Public Works to execute agreements and MOU (*Memorandum of Understanding*) between Warren County Department of Public Works and Warren County Soil and Water Conservation District in regards to future related conservation projects.

Mr. Hajos stated this request would allow the Superintendent of Public Works to execute agreements and MOU's between the DPW and Warren County Soil and Water Conservation District. He apprised the DPW and Warren County Soil and Water Conservation District typically engaged in a number of conservation projects that were affiliated with County Roads. He said he brought each individual project before the Committee for approval; however, he noted, going forward he would like to be provided with the authority to sign off on them with Jim Lieberum, *District Manager, Warren County Soil & Water Conservation District*. He added the bulk of these projects had no cost for the County and the County labor acted as an in-kind service to these projects, most of which were storm water type projects along County roadways.

Mr. Conover remarked Warren County Soil and Water Conservation District was an exceptional organization that provided a great service to the towns and County.

A discussion ensued.

Motion was made by Mr. Geraghty, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the May 21<sup>st</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

In regard to the Road and Bridge Projects, Mr. Hajos informed road construction projects had commenced today in the Towns of Stony Creek and Queensbury. He stated he was anticipating that the contractors would finish the paving work on County Road Projects by the end of June dependent upon the weather. He informed the first Bridge Project they would be working on this year was on 13<sup>th</sup> Lake Road Culvert Replacement Project at the end of May or beginning of June, as the only thing they were waiting on was NYS DOT (*New York State Department of Transportation*) concurrence on the award for that project. He

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stated work would be done throughout the year on Palisades Road over Brant Lake Inlet Bridge (CR 26) Project, Oxbow Hill & Moon Hill Road (CR 63) Reconstruction Project, East River Drive (CR 16) and Call Street (CR 32) Rehabilitation Project, all of which were Federal Aid projects.

Proceeding with the agenda, privilege of the floor was offered to Mr. Lieberum, who provided an update on the Warren County MS4 report that was prepared by his Office on an annual basis. He stated this document included specific areas in the County that involved County roads, County buildings, County parking lots and things of that nature within the Towns of Queensbury and Lake George. He advised when a new MS4 permit was issued by the State this year their Storm Water Management Plan, which was essentially a catalogue of what the County needed to do in order to remain within the permit requirements of the NYS DEC/EPA (*New York State Department of Environmental Conservation/Environmental Protection Agency*), would have to be revised. He added this specifically related to storm water and did not concern sewer systems. He indicated a draft report would be available on the County's website, as well as their website and there were hard copies available in their Office, the Clerk of the Board's Office and the DPW. He informed the deadline to submit comments was May 12<sup>th</sup> at 3:00 p.m. He apprised it had been difficult for them to accomplish everything that was required of them, but they were successful and had held a socially distanced stream clean up. He encouraged anyone who had not done so already to review the Storm Water Management Plan and Annual Report and contact him with any questions. He noted the majority of the County was not located in the MS4 area, but the boundaries maps were available on their website, as well as the County website.

Mr. Conover called for any public comments, but Don Lehman, *Director of Public Affairs*, was not available to respond.

Proceeding to the review of the Solid Waste Agenda, Mr. Hajos presented a request to approve the Warren County Waste Hauler Permit Application and Fee Schedule for Collection and Transportation of Solid Waste and Recyclable Materials in Warren County.

Mr. Hajos stated he had distributed the draft Waste Hauler Permit Application and Fee Schedule to the full Board, but he received no comments from anyone. He advised he had worked with the County Attorney's Office to review ensure nothing else was required and was finalized last week; *a copy of which is on file with the minutes*. He informed each solid waste company would be required to fill out a permit application for hauling permits, adding some of the revisions made were to require quarterly reporting instead of annual reporting to allow the County to obtain a better idea regarding the information the solid waste haulers were providing to the County. He said as part of this permit the cost of the first permit for any hauling company would be \$200 and then there would be a charge of \$100 for each additional vehicle after that.

A discussion ensued during which Mr. Hajos indicated the earliest the Permit Application and Fee Schedule would be implemented was in September of this year. Mr. Geraghty inquired whether Mr. Hajos had received feedback regarding this from any of the solid waste haulers and Mr. Hajos replied in the negative. Mr. Hajos informed the solid waste haulers were used to paying fees similar to this by other Counties, as many other Counties had implemented their own permit application and fee schedule.

During the discussion Mr. Hajos explained there was a Local Law adopted by the County in 1991 which he

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provided a brief overview of that required the County to implement a Waste Hauler Permit Application and Fee Schedule and was one of the reasons they were moving forward with this. He added the other reason was that this had been included as part of the Warren County Local Solid Waste Management Plan. He stated his plan was to make this as seamless as possible for all of the solid waste management haulers.

Motion was made by Mr. Merlino, seconded by Mr. Geraghty and carried unanimously to approve the request and the necessary resolution was authorized for the May 21<sup>st</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Hajos advised the next request pertained to Adopting the Warren County Local Solid Waste Management Plan as required by 6 NYCRR 366-4.-1191. He stated he had originally submitted the plan to the NYS DEC in November of 2020 following which it was returned to him with comments from them in late January or early February. He stated since then they had addressed those comments and resubmitted it to the NYS DEC, who subsequently approved the draft plan. He indicated the next step was for the County to adopt the plan as part of 6 NYCRR 366-4.-1191 3 which consisted of the adoption of the plan that the County would implement and maintain a solid waste management system described in the final plan, as well as submit the bi-annual updates to plan.

Mr. Conover asked Mr. Lehman if any public comments had been received regarding this matter and Mr. Lehman replied in the negative.

Motion was made by Mr. Bruno, seconded by Ms. Hogan and carried unanimously to approve the request and the necessary resolution was authorized for the May 21<sup>st</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Moving along to the review of the Parks, Recreation & Railroad agenda, Tim Benway, *Director, Parks, Recreation & Railroad*, presented a request to amend the County Budget in the amount of \$1,000 to reflect receipt of a donation received from Judge Courtenay Hall for Up Yonda Farms Educational Center.

Mr. Benway apprised this donation would be used to pay for eradication efforts of algae bloom in the pond at Up Yonda Farm Educational Center.

Mr. Conover requested that a thank you letter be sent to Judge Courtenay Hall on behalf of the County.

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

Next, Mr. Benway presented a request to amend the contracts with the Town of Lake Luzerne, The Thurman Connection Snowmobile Club, Hague Sno-Goer Snowmobile Club and the North Warren Trailblazer Snowmobile Club to rectify/clarify trail grooming and development reimbursements.

Mr. Benway stated he and Mr. Hajos had been working with the snowmobile clubs on a periodic basis over the last three months to develop guidelines to specifically indicate what were permissible expenses the

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snowmobile clubs could submit to the County for reimbursement pertaining to trail grooming and development. Mr. Hajos added the current agreements the County had with the snowmobile clubs did not specify what trail maintenance involved. He explained last year they had submitted reimbursement for fuel for their storage buildings, but the County Auditor did not believe this was an applicable expense for trail maintenance. He said they had to specify that this was all part of trail maintenance because the groomers were powered by diesel fuel and they needed to be kept warm in order to operate properly and should be an allowable expense to submit for reimbursement. He added they had also worked with the County Auditor with regard to how she wanted to receive the information and the additional back up required for when they submitted for reimbursement.

A discussion ensued.

Motion was made by Mr. Merlino, seconded by Mr. Geraghty and carried unanimously to approve the request and the necessary resolution was authorized for the May 21<sup>st</sup> Board meeting. *A copy of the resolution request form is on file with the minutes.*

Proceeding to the update on the stocking report, Mr. Benway advised due to the favorable weather and water conditions they already had around two thirds of their stocking completed which was earlier than it was typically done. He mentioned although both children's fishing derbies had been cancelled they had moved forward with stocking Crandall Pond in the City of Glens Falls and Mill Pond in the Town of Brant Lake anyway.

Mr. Conover remarked the County's Fish Hatchery and Stocking Program was one of the most unrecognized County Programs and was a tremendous asset to the County. Ms. Hogan commended them for collaborating with the County GIS Administrator to display on the map where the fish had been stocked which was very beneficial.

In regard to Electric Bike/Scooters on the Warren County Bike Trail, Mr. Hajos stated he had received an email requesting to use electric bikes/scooters on there which he had done some research on and determined a State Law had been adopted in April of 2020 that permitted individuals to operate bicycles with electrical assist on some streets and highways in the State. He added as of August 2<sup>nd</sup> this became applicable to electric scooters, as well. He informed types of electric bikes consisted of the following: Class 1 - electric portion of the bike was operated when peddling; Class 2 - contained throttles and could go up to twenty miles per hour and then typically the power cut out on them and peddling was required; and Class 3 - involved a peddling type of bike with the electric assist that could currently go up to twenty-eight miles per hour, but the law was being reviewed to consider reducing that speed to up to twenty-five miles per hour. He stated the County did not permit motorized vehicles to be on the Warren County Bike Trail, with the exception of a very small portion of the Bike Trail from the Magic Forest property to Lake George which was typically used by snowmobiles during the winter months; he added no motorized vehicles were permitted on the Bike Trail during the summer months. He mentioned they did entertain requests from individuals who may have a form of a disability for use of some form of an electric vehicle on the Bike Trail, such as a motorized wheelchair. He restated he had received a request for the County to consider allowing these type of motorized vehicles on the Warren County Bike Trail. He indicated the State Law included a number of rules governing how these vehicles could be used on some State Roads and Highways, such as remaining in a

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single file and not riding side by side; he added there were not many multi-use bike trails in New York State that they were permitted to be on. He remarked he was unsure this was a matter the County would like to explore moving forward with, as he believed this would create liability issues that the County Attorney could speak to; however, he noted, he wanted to bring this before the Committee for them to opine on.

Mr. Conover asked for clarification that the process to develop this trail had been rather lengthy and Mr. Hajos replied affirmatively, informing during that time there had been a number of informal agreements made along the Corridor that motorized vehicles would not be permitted on the Bike Trail. Ms. Hogan inquired whether Mr. Hajos had determined what the rationale was for the few bike trails in the State that did allow these electric bikes/scooters on them and Mr. Hajos replied in the negative. Mr. Hajos apprised he did not believe those bike trails had any laws in place to prohibit these types of vehicles from traveling on their trails and was how they ended up permitting them.

A discussion ensued during which Mr. Hajos voiced his concerns with permitting electric bikes/scooters on the Warren County Bike Trail. Concluding the discussion it was determined that representatives of the Adirondack Cycling Advocates should be invited to the next Committee meeting to opine on this matter.

Mr. Conover once again asked Mr. Lehman if any public comments had been received and Mr. Lehman replied in the negative.

There being no further business to come before the Committee, on motion made by Mr. Geraghty, seconded by Mr. Bruno and carried unanimously, Mr. Conover adjourned the meeting at 10:43 a.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board